

Minutes of a Regular Board Meeting held by the Town Board of the Town of Riverhead held in the Town Hall, Riverhead, New York on Tuesday, December 19, 1989 at 7:30 p.m.

Present: Joseph F. Janoski, Supervisor
John Lombardi, Councilman
Louis Boschetti, Councilman
Robert Pike, Councilman
Denise Civiletti, Councilwoman

Also Present: Patricia Moore, Town Attorney
Irene J. Pendzick, Town Clerk

Supervisor Janoski called the meeting to order at 7:30 p.m. and the Pledge of Allegiance was recited.

Councilwoman Civiletti offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, that the Minutes of Regular Board Meetings held on November 8, November 20 and December 5, 1989 are dispensed and approved without objection.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "Reports, Mrs. Pendzick."

REPORTS

Jamesport Fire District-Results of Election for Commissioner
Filed

OPEN BID REPORT - STREET LIGHTS AND MAINTENANCE PARTS Filed

Bid Date: December 18, 1989
5 Bids Submitted

#1	NAME:	Nassau Electrical East
	ADDRESS:	Bohemia, NY
	TOTAL BID:	See file for individual items bid
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#2	NAME:	Mid Island Electrical
	ADDRESS:	Deer Park, NY
	TOTAL BID:	See file for individual items bid
#3	NAME:	Shorebrook Electric Supply
	ADDRESS:	East Islip, NY

TOTAL BID: See file for individual items bid

#4 NAME: Suffolk Lighting Supply

ADDRESS: Riverhead, NY

TOTAL BID: See file for individual items bid

#5 NAME: Graybar Electric Company

ADDRESS: Hauppauge, NY

TOTAL BID: See file for individual items bid

Supervisor Janoski, "Thank you. Applications."

APPLICATIONS

Site Plan-RIFOW Associates-retail building on Rte. 58. Filed

Supervisor Janoski, "Correspondence."

CORRESPONDENCE

Malcolm Pirnie, 12/1/89-RE: SPDES Permit, modifications and Interim Plant Expansion. Filed

Southampton Town, 11/30/89-Notice of Public Hearing on Chapter 37, Definitional Hearing; Chapter 37 "Landfill Usage Fee and Chapter 69, "Accessory Apartments. Filed

Carol Munzel, 12/11/89-Asking that her previous letter of opposition to increased landfills fees be changed to "in favor" of same. Filed

TrueTech, 12/18/89-Going on record as strongly opposed to doubling of tipping fees. Filed

Supervisor Janoski, "The time for the first scheduled public hearing has not yet arrived. Anyone interested in the Unfinished Business, there's a list of same on the back of the agenda and it lists where the particular application is in the process. I would recognize anyone who wishes to be heard on any matter or question about the agenda or anything at all. Warren."

Warren McKnight, Wading River, "I wish to speak tonight about the closing of Hazeltine here in Riverhead. I had an interview with the personnel manager. I'm a consultant for New

York State in reference to this matter, for training people who are laid off. With spoke with, her name was Jackie Danayer, down at the cassette center which you were down there right before the election with Mrs. Fagan, Sharon Fagan. In any case, it seems I asked why basically they were leaving and why people were leaving Long Island. They said basically, because of the high electric costs and the high cost of the taxes, the government taxes around here. And I'm greatly concerned about this happening in Riverhead. We also did further investigation number one; to retrain these people. We picked out several different areas that they can be retrained in. The most popular, computers and maybe some Civil Service tests, small engine repair as we interviewed these people but can we find jobs for them in Riverhead. The point I'd like to make here is to appeal to everyone on the Town Board here that I think government, local government, state government, county government and federal government; like they do in other countries has to mix much closer with business and industry. And again, we have to give some incentives out here otherwise our society will be in very serious trouble. I'd like to further appeal for your help on a bipartisan appeal. We have various people running for reelection on the federal level and the state level. Mr. Hockbrueckner is having a press conference December 22nd. Maybe somebody from his party could attend that and tell him the problems we have out here. Also, Mr. Sawicki is running. It's a very real serious problem and it will have a very bad effect on our area and I think we should all be concerned about this. Thank you."

Supervisor Janoski, "Thank you Warren. Is there anyone else wishing to.... Anybody except you George. I'm sorry. Go ahead."

George Schmelzer, Calverton, "I hear some nasty rumors that the town is thinking about buying an empty store in Riverhead. Is that true?"

Supervisor Janoski, "Why don't you complete what you've heard and I will tell you exactly what the town is contemplating."

George Schmelzer, "What I heard? That's just about what I heard, the substance of it."

Supervisor Janoski, The town is contemplating the condemnation of two buildings in the Town of Riverhead. What perhaps gets left out of the story is that the procedure would include the solicitation of proposals from interested private enterprise individuals or groups that would propose one; to pay the cost of the acquisition of the building. Two; that they would have a proposal as to the renovation of the building. And three; they would make a proposal as to the use they would like to put it to. So what that means is and it's a process the town has used before; that we would have waiting, a group or individual to whom we immediately resell the building. The purpose of the town

government becoming involved is that the government has the ability to cut through any red tape that might be involved. In this case, there is some. So that we could effect the transfer of those buildings to individuals who are willing to put them back into use and renovate them. And there's no cost to the taxpayers because the private group or individuals would agree before hand to pay the cost of acquisition."

George Schmelzer, "You'd actually condemn them?"

Supervisor Janoski, "The condemnation is a procedure that would be used, as I say, to cut through the problem."

George Schmelzer, "Well, that's quite nice because the guy who owns the building, if he gets it condemned, the money he gets from it he can run off with it and buy land somewhere else without paying a tax. So he'd be a sucker not to sit on his butt and wait for that. Just like years back the town bought the Rasberry Hilton. I spoke to Leo Saxtein at the time. I said well, what do you think of that? He said, if they didn't propose that, I would have had to done something by myself. Now the town did it for me, thanks. And so the same as on Main Street. The Harding building was gutted from the inside but you couldn't see it from the outside. So you set a precedent that we might as well name Main Street South Bronx Street and change the name of Grangebel Park to Central Park because it's very similar now in many ways. So I think it's a bad precedent. Anybody who has had trouble building, just sit on their butt and wait for the town to condemn it; get the condemnation money and invest it some place else and don't pay any taxes. Did you ever think of that?"

Supervisor Janoski, "George, I think you've got the situation completely confused and I thought I explained it very well, but you're ignoring the one very important point. And that is there is a problem with those two buildings as far as the ownership. The town government has the ability to cut through that problem. Now, if your preference is after three years of those buildings remaining vacant and unused because two individuals can not get along with one another, then that's your preference."

George Schmelzer, "Is that a fact or pretense on their part?"

Supervisor Janoski, "It is an absolute fact."

George Schmelzer, "Well, let it be there and they'll get tired of paying taxes and they'll cure it themselves."

Supervisor Janoski, "We have the commercial downtown area to be concerned with. And while I prefer that they work it out themselves, they are working on that right now. I was told yesterday by the attorney for one of the brothers, that they would conclude contract of sale from one brother to the other for 100% ownership by the end of this week. If that happens, then so

much the better. But we have started a procedure and we'll continue it until such time as that has been concluded and they tell us that they are going to renovate and use those buildings. He tells us."

George Schmelzer, "In other words, the town is becoming a family court with family problems now. If you have...."

Supervisor Janoski, "George, I give up."

George Schmelzer, "Okay. The town bought that Ribiero building. I dare say, each one of you five were asked individually without the other hearing, what the reasons were and you got five different reasons. So if the town has that extra money, why don't you do something here to put a driveway to Howell Avenue from the south parking lot and also by the woods over here for additional parking lot."

Supervisor Janoski, "The town bought the Ribiero building using federal money which was granted to the Town of Riverhead specifically for the purpose of acquiring the Ribiero building. That's what we applied for and that's what we used the money for."

George Schmelzer, "Did Congress pass a special law for that? That's it. The government is becoming a moochocracy only to mooch off one level of government off the other higher level. So that's the success of politics if you can mooch off the higher level of government and tell your constituents. What a system. Okay, thank you. I think you're setting a bad precedent."

Supervisor Janoski, "George, one more question."

George Schmelzer, "You want me to ask one more question?"

Supervisor Janoski, "Yes, please."

George Schmelzer, "Well, suppose you have another store down there with family problems, would you do the same thing?"

Supervisor Janoski, "I think George, that the purpose of government is to try to do what's right for an area. And really, those two buildings have become such a problem to downtown that we had hoped, not only this Town Board but I think members of the previous Town Boards were involved, that something would happen that would put them back into use. Now, I have talked with attorneys for both brothers. There is in fact a problem which they are trying to resolve. I told the attorneys on every occasion that I've spoken to them that it is my hope that they can conclude the matter themselves. If not, the Town of Riverhead is going to step in and that's the story."

George Schmelzer, "I thought the purpose was government was to stay in office. You gave a new reason. Thank you."

Supervisor Janoski, "George, it's always a pleasure and it is now 7:45 and you've done your job very well. Let the record show that the hour of 7:45 p.m. has arrived, the Town Clerk will please read the notice of public hearing."

PUBLIC HEARING - 7:45 p.m.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on Tuesday, December 19, 1989 at 7:45 p.m. to hear all interested persons wishing to be heard regarding: Extension to the Riverhead Water District to be known as Ext. 42A to serve the subdivision of "Knolls at Riverhead".

(See Water District Minutes)

7:45 PUBLIC HEARING CLOSED AT 7:49

Supervisor Janoski, "I will once again open the meeting to any comment on any matter at all. Alice."

Alice Graff, Riverhead, "I'm very upset, so I may have a lot of trouble talking. So please bear with me. I'm not full of Christmas spirit at this moment. The dumping that is being down upon the town makes so many of us unhappy and wonder how soon we will be like so many areas in Western Suffolk and Nassau such as Hempstead. At yesterday's Work Session a discussion was held relating to a proposed tin building to be set up in the Polish Town area across from the Civic Center's headquarters and adjacent to the Railroad. All attempts to upgrade our town continue to be stonewalled. Here is an area that the Polish Town Civic Association is attempting to upgrade on their own as is evidenced throughout the Polish Town area. Denise Civiletti noted that our present laws allow for such unsightly structures. And thus, allows us to be dumped upon. As we look at the so called Christmas decorations downtown, it reflects the lack of respect for our town. Perhaps part of the reason is that majority of the building and business owners do not live in Riverhead and add to this the refusal of major developers that continue to develop our town without regard to the environment and our taxes. It's basically another dumping upon our town and it just makes me sick. Thank you."

Supervisor Janoski, "Thank you Alice. Is there anyone else present wishing to address the Board on any matter at all?"

Debra Brehm, "I haven't been to one of these before and I come totally unprepared. I come totally unprepared. It's in relation to the tipping fee. I understand that your permits, beach permits and various other permits have to be raised. I have no qualm about that. Actually you're cheaper out here than most of the other towns further in. My argument is with the tipping fee on garbage. That should be single and separate."

Councilwoman Civiletti, "Can I just ask, do you want to make this part of the public hearing on that question?"

Debra Brehm, "I didn't realize you were have a public hearing."

Councilwoman Civiletti, "We are. Would you mind waiting a few minutes?"

Debra Brehm, "Like I said, I haven't been to one of these."

Supervisor Janoski, "It's the next public hearing which will be in two minutes. I can't start it before the scheduled time. The public hearings have been called for this evening on the specific items but this is an opportunity to address some other concerns that you might have, have a question on something that might be contained in a resolution that we will be acting on, anything at all. Well, in the one minute remaining, let's see if we can do two resolutions. We have tabled resolution #793. Is there a motion to take that from the table."

Resolution #793 was taken from the table and moved and seconded for Town Board action. (found on page 1464 of the 1989 Resolution Book)

Councilwoman Civiletti, "That's the one reducing the Maintenance Bond for the Manors at Baiting Hollow for drainage. We met with John Johnsen."

Supervisor Janoski, "Let the record show that the hour of 7:55 p.m. has arrived. The Town Clerk will please read the notice of public hearing."

PUBLIC HEARING - 7:55 p.m.

I have four affidavits of publishing and posting for four public hearings to be held at Riverhead Town Hall on Tuesday, December 19, 1989 at 7:55 p.m. to hear all interested persons wishing to be heard regarding: Proposed Amendment to Various Sections of Chapter 108, "Filing Fees, Penalties and Offenses, Proposed Amendments to Chapter 103, "Landfill Fees", Proposed Amendments to Chapter 52, "Building Construction and Zoning Fees, Proposed Amendments to Chapter 46, "Beaches & Recreation Fees."

Supervisor Janoski, "We are going to handle these subject matters one at a time. The first one is the hearing on the filing fees. Would you like to just explain that."

Patricia Moore, Town Attorney, "This is labelled as 108-77, "Filing Fees". This applies to the Zoning Board of Appeals. And what we've done is separate residential applications from commercial applications. The Board had considered the restructuring of

fees and rather than impose higher fees on everyone across the Board, the Board felt that we would separate them and allow the residential applications to be increased by 20% maximum and the commercial applications being more consistent with other towns and application fees that are encountered through the development process. The final point that's left with the Zoning Board of Appeals is that if there is an application where it comes from the Building Department and there is a feeling that the application is somewhat administerial, the Board of Appeals will have the discretion to refund that fee. We have increased the penalties for the offense. So that if someone builds in defiance of their Zoning Board approval or denial of whatever they've applied for, that at this point, we would be in Justice Court or we'd have the opportunity to enforce it. If they were found guilty, that the town can request the maximum fine of \$1,000 rather than the \$250 fine which was previously allowed. That's the only one if you're going to take it separately."

Supervisor Janoski, "On the question of the filing fees for the Z.B.A.; is there anyone present wishing to address the Town Board? George."

George Schmelzer, Calverton, "I don't think it was clear about what the filing fee was for commercial. Maybe I misunderstood it."

Patricia Moore, "Yes. On commercial applications, when you go to the Zoning Board of Appeals, the Zoning Board has jurisdiction on various uses. One is for a use variance. If you want to operate a use which is generally not allowed in the Zoning District, you can apply to the Zoning Board for a use variance. An area variance is setbacks generally where you have a building that can't meet the setback regulations. And at times, the Zoning Board may be asked for an interpretation of the code. Those processes or procedures are both for residential as well as commercial applications. But as far as the fees are concerned, there's one set of fees which are substantially lower for the residential applications and the second set of fees for commercial applications."

George Schmelzer, "What are they though?"

Patricia Moore, "\$150 for a use or an area variance and interpretation. As far as if you need approval for access to your property, it is \$75."

George Schmelzer, "What do you mean by access? Either you have it or you don't."

Patricia Moore, "Some properties have unapproved access like a flag lot or right-of-way where the roadway to get to your property is not fully improved. There is a process where you apply to the Zoning Board of Appeals and you seek access approval so that you don't have to blacktop to the fullest extent that the

code may provide. It may be bluestone or some other material. So that is a separate process that you go to the Zoning Board of Appeals for."

George Schmelzer, "How long did it take to think up all this stuff?"

Patricia Moore, "Years of law."

George Schmelzer, "You learned that in Law School?"

Supervisor Janoski, "George what is your opinion of the filing fee?"

George Schmelzer, "I think it's a little excessive. Maybe you should call it revenue enhancement."

Supervisor Janoski, "Ok. What do you think of the revenue enhancement?"

George Schmelzer, "What holes are you trying to fill?"

Supervisor Janoski, Well George, the Town of Riverhead has a Zoning Board to which many people apply for relief from Town Code and that's why it's there. There is a cost associated with the operation of the Zoning Board of Appeals. The five members, the staff, the facilities, etc. We are attempting to make that self sufficient. To have it pay for itself rather than all the taxpayers paying for it who are not utilizing it and commercial applications will be charged a higher fee."

George Schmelzer, "So for instance, if you had a flag lot, why put that nonsense in the code that you go to the Zoning Board for whether or not you can pave your right-of-way? Leave it out. Leave the people alone. You create your d--- bureaucracy and then it becomes overloading and you've got to hire more people and then you've got to raise the fees to pay for it. You should do it the other way. Cut back some of that nonsense."

Supervisor Janoski, "The Town Code provides specifications for driveways which is asphalt. Suppose you have a flag lot that has a pole on the flag which is 50 feet long or 100 feet long..."

George Schmelzer, "You said a hole?"

Supervisor Janoski, "The pole on the flag. You know what a flag lot is.it would be very costly to asphalt that. That is why the Zoning Board of Appeals exists. So that you can get relief from that provision and use stone instead of the asphalt."

George Schmelzer, "Stone is better. Water percolates through it and it doesn't run off like asphalt. If you leave people alone, they will take care of it themselves better than the town would. The always did before."

Supervisor Janoski, "So you think that all builders should have the right to use whatever they want on driveways in the homes that they built? I'm getting drawn into a discussion here that I don't want to be part of."

George Schmelzer, "It's their flag lot. Let them use whatever they want. If they get stuck, that's their problem."

Supervisor Janoski, "George, what is your feeling on the fees?"

George Schmelzer, "A little excessive."

Supervisor Janoski, "Thank you."

George Schmelzer, "Would you thank me more if I said they're not excessive?"

Supervisor Janoski, "I would thank you in either event."

George Schmelzer, "I don't which way or what you mean so how could you thank me either way."

Supervisor Janoski, "Because the purpose of this hearing is to hear what the people in the town think about the proposal. You have told us and I thank you for taking the time to do that."

George Schmelzer, "I think a lot of people think about it but they won't tell you what they think."

Supervisor Janoski, "Thank you George for your testimony. Is there anyone else wishing to address the Town Board on the matter of the filing fee? Alice."

Alice Graff, Riverhead, "I think the fees are not high enough and the penalties must be more strict and more excessive than what they are at the present time. Because unless the fees are, the penalties are great enough, people have a tendency to try to circumvent the town laws. Thank you."

Supervisor Janoski, "Thank you Alice. Is there anyone else present wishing to address the Board on the matter of this increase in fees? That being the case and without objection, I declare that hearing to be closed. We are now going to move to the landfill usage fees."

**INCREASE IN FILING FEES FOR THE ZONING BOARD OF APPEALS
PORTION OF THE 7:45 PUBLIC HEARING CLOSED AT 7:49**

Councilwoman Civiletti, "The subject matter of this public hearing is to increase the landfill tipping fees payable by people who pay by the ton at the landfill from \$20 to \$40 per ton. A few words on the reasons for the increase, for the increase that's been proposed. For one thing, \$40 per ton more

closely reflects actual cost at the landfill is. We have for several years and we continue to artificially suppress the cost of the landfill because we are pretending that we are going to be incurring expenses for closing and capping the landfill which we will be incurring within the next 12 to 14 months. Secondly, the \$20 per ton fee does not cover the present cost of operations of the landfill which in 1990, are going to include almost half a million dollars for landfill operations including salaries, fringe benefits and principals and interest for equipment that's been purchased there. It's going to include various expenses in conjunction with public education regarding the change over that we're going to be making in the next year or two for more intensive and probably mandatory recycling in the Town of Riverhead. It doesn't cover the disposal costs that we will be incurring in 1990 for the household hazardous waste products that we will be collecting and storing and disposing of in a facility outside of town other than in our landfill. A facility, the in town facility, the storage facility which is sitting there waiting for a permit to be issued by the D.E.C. right now, we hope, will be up and running early in 1990. Similarly, the \$20 per ton does not cover any of the expenses that will be payable in 1990 in connection with preparing the solid waste management plan and impact statement that we have to prepare for solid waste management in the town in the future. It's a document that we are now in the process of preparing at considerable expense that we are required to submit the New York State Department of Environmental Conservation for approval. That is going to essentially lay out our strategy for solid waste management in the Town of Riverhead after the landfill is closed in December of 1990. Also, not covered by the current tonnage fees is the disposal of solid waste for the town between December 18th and December 31st, 1990. Those few weeks could cost us upwards of \$50,000 if we're going to be shipping our garbage off the Island or to a facility further west. I'm going through all these tedious details because there is a notion that's been banded about that we are raising the tipping fees just to make up some money. You mentioned revenue enhancement. But to just make up some short falls elsewhere. In fact, solid waste management in the Town of Riverhead, disposing of the tremendous amount of trash that we generate on a daily basis is something that has been subsidized by (some say rightfully so) fees collected other than the tipping fees at the landfill by other taxes. It seems that obvious that in the not too distant future, in fact, our property taxes or some other tax is going to cover the cost of operations and it's not going to be, or not necessarily going to be a fee paid by a customer to a carter and then by a carter to the town. But for now, at least for the coming year, we need to raise these revenues and those are the reasons why. You should also be aware that there is another public hearing for this evening on the subject of regulating the rates payable by the carters or chargeable by the carters to their customer; both residential and commercial customers. I would like to take the opportunity at that time to explain what I perceive to be the need for that action. But for the time being, we'll just open it up to raising the rates."

Supervisor Janoski, "The subject is the \$40 per ton proposal. Is there anyone present wishing to address the Board on that matter and you are number one."

Debra Brehm, S. Jamesport, "You said a lot. I've gotten letters from various people. Like again I say, I've come unprepared. We all have a big problem with the landfill. Mother earth is in trouble. The environment, it's going to be a real world wide problem. The landfill problem, everybody is between a rock and a hard place. I know how difficult the D.E.C. can be. But the one thing that I see here is that the tipping fee, to me, it appears to be a separate tax. I don't see this money going to cover or cap the landfill. This is just a separate tax to raise revenue. There have been additional people hired. It was in the paper. Again, I don't have my information with me but there were people added to the staff. I've been out here three years. My taxes have really gone nuts. I have some property further in and my property in there didn't go up as high as it has here. I sympathize with what's going on. We're all in it together. I don't know. I'm not good at talking up here in front of everybody. All I know is I saw what happened with my garbage bill last year and I know you have to cover the landfill. I know what's happening. I know have a big tax increase coming with it. You don't have a choice. We don't have a choice. We've been told that we have to do this. But it just seems to me that with the tipping fee, it seems to be something different. That's my objection. It seems that you're doing that to raise revenue to cover the increase in the budget."

Supervisor Janoski, "The 1989 cost of operating the landfill is in excess of \$700,000. And the revenues anticipated by the \$20 fee come out to be a bit over \$700,000. I believe that we are running just a little bit behind on that anticipated revenue. Is that true? How we doing Jack? We are. So the fees right now are not going to make the cost of operating the landfill."

Debra Brehm, "Once the landfill is capped and the garbage is being carted out because you won't be able to compost all of it. You won't. There's just too much of it. Where does that tipping fee come in then?"

Supervisor Janoski, "The tipping fee will pay for the disposal of the garbage; whatever technology or actions that we take such as: recycling, composting, whatever."

Debra Brehm, "You see, I would have preferred it would have been a single and separate issue. Like I say, the public knows what's up ahead. Everybody knows. But to come to me and say, look it's going to cost this much now. We've got to close the landfill. You all know about it. This is what it cost. Not to come before and say.... Go ahead."

Councilwoman Civiletti, "I just want to respond to that. Because as a matter of fact, after the landfill closes, not matter what we do, whether we construct a facility in town just for the town's use, whether sort of participate in a regional facility, whatever kind of facility.... Whether it's a burn facility, composting facility in combination with a recycling center. Whether we just truck it off Island and bury it in a hole somewhere in Ohio, we are looking at probably a minimum of \$80 to \$100 per ton disposal cost."

Debra Brehm, "The increase now is to cover what?"

Councilwoman Civiletti, "The increase now is to pay for anticipated expenses of almost \$800,000 in 1990."

Debra Brehm, "Or is that increase going to cover the deficit, the increase in the budget this year?"

Councilwoman Civiletti, "Let me finish. Almost \$800,000 in 1990 in operations. That does not include the cost of litigation that we're presently defending with New York State D.E.C. allegations of operation without a permit and some other things, actual litigation expenses and fines that we may or may not end up paying. It does not include, this \$800,000 in 1990, the money that we will have to spend to design and permit any facility in the town even if that's a transfer station. That's not in the budget. And it does not include closing and capping."

Debra Brehm, "Me, as a taxpayer, I'm looking at the increase. I hope you understand what I'm saying."

Supervisor Janoski, "Absolutely. Rob is going to say a couple of things now."

Councilman Pike, "It is true that in its initial idea, one of the ideas we were using to reduce the tax increase was to use a surplus of money out of landfill fees to reduce taxes. And when the proposal was first made, you're right that it ended up with less than 1% tax increase. Unfortunately, as we continue to go through the budget round, more and more costs have been obvious that are absolutely and legally required of us for the operation of the solid waste screen. And let me just finish the thought. So that as we've gotten into it, just to get the permits alone, you're looking at somewhere between 300 and 400 thousand dollars and that doesn't build a thing. That's not in the budget. So once you start adding those things in there, the tax bills that are going to go out do not have the less than 1% increase that I had initially hoped that they would. They're going to go out with what appears to be about 3 1/2 or 3.8% tax increase. So it did not end up capable of you to cut back the tax increase."

Debra Brehm, "Was it really necessary for the town to have the additional employees that were hired?"

Supervisor Janoski, "That's one that you've got me with. What additional employees?"

Debra Brehm, "Wasn't there.... Like I said, I came unprepared. There was an engineer hired and a couple of others. Two or three employees hired."

Supervisor Janoski, "There is provision for a town engineer in this year's budget and there is provision for town engineer in next year's budget. No engineer has been hired but that doesn't have any impact on the fee that is being considered here. So let me just say very simply because I understand what you're saying. The revenue that will be raised through the tipping fee that we're talking about tonight will be dedicated towards garbage disposal because the landfill has really now grown and next year will include recycling. Right now we're composting. We will be disposing of hazardous materials. Paint thinners is something that is hazardous material. We will be closing the landfill, capping the landfill. The cost of that is going to be measured in millions of dollars."

Debra Brehm, "Let get off here. I'm sure there's a lot of other people that would like to come up here and have something to say. Thank you for your time. I think you understand what I was saying."

Supervisor Janoski, "Absolutely."

Councilman Pike, "Mr. Supervisor, let me just mention one other thing here because there have been a number of attempts to create another issue in this whole debate whether this is a tax or a fee or a price or a real cost. Whatever the label, it doesn't matter. It's money. The money is being raised and there are some advantages to various ways of raising money and there are some disadvantages to various ways of raising money. If we raise all of this money through the general tax, everybody pays it equally and that tends to reduce the price for everybody because it's spread out over the entire base. If we entirely charge people who use the landfill, that tends to put the burden on them; the people that are actually using the landfill and that has some advantages because they are directly bearing the cost in proportion to the amount they use it. So that creates some incentives that aren't there if everybody shares it equally. Those incentives are extremely important as we get ready for what's going to happen exactly one year from today. That thing is going to shut down and we're not ready yet. We're not ready because if you go through most of what the residents of the Town of Riverhead do with their waste, we are not actively as a community, recycling our waste. I think some people realize but the word has gotten out significantly enough and in a broad enough way that over 50% of your waste is recyclable and that can go into the landfill at no dollar per tonnage. It doesn't cost you a cent. Over 50% of the waste stream can be recycled. If you bring it into the landfill now, anybody who brings it in, it's

free. That hasn't started to happen yet. But if you create that kind of incentive that it's recyclable, that it comes in free, if it's not, you've got to pay for it. And the real cost of getting rid of it, it tends to get people into the business of recycling. It's a straight pretty crisp piece of social engineering. Hey, here's an incentive, private market incentive to recycle. But it's there, it's open to the citizens of the Town of Riverhead. A lot of people who bring their own garbage are taking advantage of it. But we have to set up a system where everybody takes advantage of it. If you double the fee but half of what's coming in is free, it doesn't cost as much. It cost roughly the same. I understand that it's tougher to recycle, that it takes more manpower, that it takes more work. But if you don't create those incentives, if you spread out the cost over everybody by a general tax, who cares. Somebody else is going to pay for the fact that you don't recycle. And I think, I'd like to end that this is an extremely difficult problem. Most of you are here because it directly effects your pocketbook. And if we do nothing tonight, that won't change that basic reality. Or if we don't enact any of this, that won't change that basic reality. Some form of creative solution has to be developed within the next 364 days because that landfill is going to close and there is no alternative that I am aware of that will cost or 70 and we're now saying 80-90 dollars per ton and that's a reality. I'll give you a tougher reality. That isn't going to happen just to this town. It happens to every town in the county. Think about that. There is not enough capacity in the acceptable waste stream system acceptable to the D.E.C., approved waste stream systems to handle all of that solid waste. For those people, for those of you who are carters who are going to be looking for someplace with or without us, to take the garbage that you pick up, that person, that business that you're going to be taking it to is sitting in the catbird seat because he's got more demand for service than he has ability to provide. What does he do? He raises his price and he raises his price until people who can't afford it go away. Who is that? The little guys, the smaller operations. I want you to think about that very carefully because one year from right now, an enormous incentive, an enormous economic situation is going to arise where the little guy, the little carter, the smaller operations are going to get clocked because they can't afford to pay the fees that the big guys can. The thought I had hoped you will come to this hearing with and now work on is, you need, all of us need and I, in a week in a half as a private citizen will need, is a creative solution. And just complaining, no, no, no doesn't create that. So I would hope that people would make their comments with that in mind."

Supervisor Janoski, "No you can't. I'm sorry. This is a legal proceeding. I can't even recognize you until everybody who wants to speak has spoken."

Councilman Lombardi, "Mr. Janoski can I say something? Is this going to be a public hearing to hear what the people have to say or are we going to be sitting here telling the people what

our problem is? I think we're here because a lot of this stuff has been in the newspaper and that is why the public is here to let us know about the fees and I think that's what we're here for. To listen to what the people have to say and not to give them excuses of why these fees are going up. We all know why the fees are going up. Some agree with it and some don't. As one, I don't agree with it. So I think, let's here from the public."

Supervisor Janoski, "Now, who would like to address the Town Board on this issue?"

John DiVello, Mattituck Sanitation, "I have a statement of some thoughts and facts. In opposition to repeal Section 103-13 and the addition of a new Section 103-13 to the Riverhead Town Code."

Supervisor Janoski, "This is not that public hearing. This is on the \$40 fee."

John DiVello, "All right. I'll move down. It is pertaining to it. It's not a long statement on that."

Supervisor Janoski, "This is not the public hearing. This is on the \$40 fee proposal. What you want to speak about is the last hearing which is 103-13 which we haven't even opened yet."

John DiVello, "Ok. Then I'll go to the \$40 fee. I think it will be that way anyway. In 1988 when we were charged \$2.50 a yard, our 25 yard trucks were charged \$62.50 a load. In 1989 at \$20 per ton at 9 tons per 25 yard load, our dump fee is \$180. That is \$7.50 short of a 200% increase. My pen shows that \$40 per ton is a 100% increase over \$20 per ton which means our trucks going over the scale with 9 tons will be charged \$360 and a rainy Sunday will add 2 to 3 tons to Monday's garbage. January 1st, 1989 when the dump fees went to 200% as my figures have just stated, we increased once a week house accounts to 80% and our twice a week accounts 57%. Commercials were increased at different percentage rates depending on their service. This increase to our customers amounted to \$126,000 for the year. Projecting our dump bill for 1989 including the last 12 days of this year, our tipping fee will be \$127,000. I'd just like to leave the letter for a second because I just heard it was \$700,000 to operate the dump in 1988."

Councilwoman Civiletti, "In 1989, \$758,308 not including the things that I listed before."

John DiVello, "The people of Mattituck Sanitation paid better than one seventh of that. We give you these figures because we have nothing to hide financially. What we are not exposing you to physically are the hardships of trying to pull frozen garbage out of a pail in wind blown 10 to 15 degrees. In the summer months when the product you're handling is as far as you can get from Channel #5. How do you get people to work

through these two extreme conditions? You give them periodic increases in salary so they can live a little decent when they are away from this environment."

Supervisor Janoski, "John, I hate to interrupt you. Your testimony at this hearing..... This is not the right hearing for you. I see what you're doing. You're building a case for the fees that you have to charge. And I don't mean to do this to you but the hearing that you want to speak at is the hearing of the addition to Section 103-13."

Councilwoman Civiletti, "Can I make a suggestion? My suggestion is that if you want to continue to read that to do that. And we can take a copy of that if you sign your name to it and you can just submit a written statement for the record in the subsequent hearing. So that what you're reading there and what you have written will be a matter of record in both hearings."

John DiVello, "I'll do that. Right now it's in handwriting and I'll retype it and I'll submit it but it's also on tape now."

Supervisor Janoski, "It sure is."

John DiVello, "That's what I wanted to accomplish. I'll stop right there if you want. There's only two more sentences. Those and other expenses, meaning the salaries, that come from a rolling stock business come out of the service part of our charges."

Supervisor Janoski, "Thank you John."

John DiVello, "Can I just finish. This is a short one in relation to what the people pay for dump fees."

Supervisor Janoski, "John, this is a hearing on the proposed \$40 fee. How do you feel about that fee? Are you for or against it and why. You are here as a representative of your business concerning the regulation of your industry. I can't blame you for being here. If I were you, I'd be here. But your testimony should be during that public hearing. Right now we want to know how you feel about the \$40 fee as a resident of the town and that proposed increase."

John DiVello, "I think the letter states it even though it doesn't say it in black and white. Thank you."

Supervisor Janoski, "Cliff."

Cliff Saunders, "On that garbage tax that you said the people that are using the landfill should pay for it, I have no children in school and I'm paying the school tax like everybody else. I don't think that's right. In 1987 I was paying \$87 a month to Mr. DiVello, \$1,044 a year. In 1987 it also went up to \$129 a month, \$1,548 a month. It increased in 1988 to \$181,

\$2,172. As of now, this 1989, it went to \$387. That's \$4,644. Having two places it's \$9,288. With your increase doubling, I don't know what DiVello's going to charge me but if it was like it was last time and it went to \$200 when it went to \$20 a ton. That means I'll be paying \$787 a month times 12 is \$9,444 times two is \$18,888 and that is why I'm against an increase because of my business."

Councilwoman Civiletti, "I wanted to know the size of your container. This is a business I presume."

Cliff Saunders, "I estimate that I use approximately 1 ton a month. Maybe more. I never weighed it but don't forget ours is mostly cardboard from the liquor boxes and the cases that food comes in. As far as garbage, it's very little; paper napkins and so forth. I lift the bags up, they're light. It doesn't take John even five minutes and I'm not counting from one place to another. I even figure what that's costing him. It's none of nobody's-business but mine anyhow. But I'm just saying I don't think the increase warrants a \$20 increase over what we have now. It's bad enough right now. And if you're going to put it on a tax roll, that's a different story. Let everybody pay it. Why should I have to pay that much."

Councilwoman Civiletti, "This is a business you're talking about. You have a container? Do you know off hand what the size of it is?"

Cliff Saunders, "Yes I have a container. Three yards. Six yards and one of them isn't even full half the time. That's all. Any other questions? That's all. I'm against it."

Supervisor Janoski, "Thank you. Is there anyone else present wishing to address the Board on the matter of the proposed increase in fees to \$40? George, did I see your hand go up?"

George Mathis, "I wanted to ask you regarding the capping of the fees."

Supervisor Janoski, "Not you George. The famous George up front here. Mr. Schmelzer did you want to?"

George Schmelzer, Calverton, "I think Councilman Lombardi has the greatest foresight. He knew when to get out of the garbage business."

Councilman Lombardi, "I got out of it but I got back into it. I enjoy it."

George Schmelzer, "People voted you back in. It's sort of a dilemma of who to charge or everyone. What people can do is they can buy these garbage grinders and throw the d--- stuff in the town sewer and it won't cost them any more. Did you ever think of that?"

Supervisor Janoski, "George, I hate to do this to you but how do you feel about the \$40 fee?"

George Schmelzer, "If somebody else pays for it, I don't feel it."

Supervisor Janoski, "But if you have to pay for it, how do you feel about it?"

George Schmelzer, "I say it's a dilemma but I'm leaning towards the ones who pay for their own garbage and we'll have less garbage. Of course you'll have more stuff along the side roads too. So it's really a dilemma. I believe that who has the garbage pays for it. The gentleman who just spoke should make sure he's got his dumpster closed up so it doesn't get rained in. If it gets rained in, he'll have a half of ton of garbage and two tons of water he'll have to pay for. That's not too good. Say if you have a patch of woodlands fifty acres, it has not garbage. So why should you pay for garbage when it doesn't produce anything?"

Supervisor Janoski, "George, come on now. We have a lot of hearings tonight. Usually you add a little something and flavoring to our meetings but we've got a lot of work to do. Could you please address the issue and tell us whether you're for or against it and why?"

George Schmelzer, "What, you getting time and a half. I'm against it really. It should be showing what it cost at the time and who uses the garbage. Who puts it there pays for it and that's it. That's my idea. I don't know why we came to this even on Long Island. New York State doesn't do it. The whole state... What the h--- does it matter with our State Senators and Assemblymen?"

Supervisor Janoski, "Why don't you pick up the phone and ask?"

George Schmelzer, "Every time I call he's in conference or he ain't in. They say who is it? I give my name and they say sorry, he isn't in. They ask you for your name first. That's the old trick. You invite them down here and let them take the blame. I told one of them to come down here. No, he don't want to come down here. You don't never see their face around here. I think they've been here so little, they couldn't even find their way in the building anymore because they forgot what it looks like."

Supervisor Janoski, "George, thank you very much."

George Schmelzer, "You really mean it? Don't forget, these people will get these garbage grinders and you won't have to pay anything. Go right down the cesspool. Thank you."

Supervisor Janoski, "Thank you George. Bill."

Bill Nohejl, Aqueboque, "I'll come out and say I'm against it and I'll give the reason. When it went up to \$20 a ton, it was stated that this would be used to carry on the landfill, to carry on the operations of the landfill. We are paying in our taxes in the budget for the operation of the landfill. Am I correct?"

Supervisor Janoski, "No."

Bill Nohejl, "We're not. You mean to say that the Sanitation Department, doesn't that have a budget to pay the men and that, in the tax bill."

Supervisor Janoski, "The Sanitation Department does indeed have a budget but the revenue collected from the fees is an amount anticipated. It's an amount anticipated to the cost of running the landfill. It's over \$700,000. We anticipated over \$700,000 in fees."

Bill Nohejl, "That's what we heard. It was \$700,000 when it was \$20. Now it's \$700,000 at 40. Hold on. That's what I heard Joe say before; \$700,000 or so."

Supervisor Janoski, "For 1989, indeed."

Bill Nohejl, "Now, I will be for it if this money was used for the capping of the landfill and for probably in the future that we would have to truck this off the Island. Put it into an escrow account not to be used wherever the Town Board wishes to use it in the General Fund because that should have been anticipated into the budget. All these programs of recycling and all that should have been put into the budget. Not now and make us pay \$40 a ton and then use it, diddle it here diddle it there."

Supervisor Janoski, "Bill, you've got me thoroughly confused."

Bill Nohejl, "I don't think so."

Supervisor Janoski, "If we put into the budget the anticipated cost of what you're talking about, then the tax rate would have gone up."

Bill Nohejl, "Well, it's true. Everybody would have paid it."

Supervisor Janoski, "Where do you think we get that money from?"

Bill Nohejl, "From the taxpayers, every taxpayer."

Supervisor Janoski, "So the money is going towards the operation, in this case, of the landfill and the whole host of things that we must complete next year. True enough, the money is going to come from the citizens of the town in one form or another. But if the fee doesn't go up, then the taxes will go up. It's not that the taxes are going to stay down and the fee stays down. If there's an anticipated cost of operating the landfill, that revenue must come from somewhere and there is only one source that I know of."

Bill Nohejl, "True. I understand that. But it should have been anticipated for the engineering and what you knew was coming down the road that we have to do in this next year. You say now we need \$40 a ton to do what you expect to do. Why couldn't that be anticipated into the budget?"

Supervisor Janoski, "It is anticipated into the budget."

Bill Nohejl, "No, you want \$40. You want an extra \$20."

Supervisor Janoski, "I see what you're saying. So if we put it into the budget as it was passed, then we would have had to increase taxes. What's the projection of the \$600,000? Jack. Additional revenue from this increase. \$600,000. So the tax rate would have gone up 7 or 8% more."

Councilwoman Civiletti, "Could I address that because that's a good question? I think there's a good answer to it. At least I think there is. And that is that everybody that's done any solid waste management planning and implementing solid waste management plans; there are very serious garbage reduction and recycling goals included in those plans. Everybody that does that says you ought to force people to pay for what they put out to make people conscience of what they are generating as garbage. And I think what Rob Pike tried to say before is that when it's part of your tax, you have no incentive to think about; well am I going to continue using all these paper goods or should I go back to old fashioned plates and glasses? In fact, other municipalities have found it very successful to use a pay per bag system where you pay according to how many bags you put out or how many pounds you put out as opposed to you pay the same as the guy next door who has 12 kids and three times as much garbage."

Bill Nohejl, "I'm doing that with the school tax."

Councilwoman Civiletti, "We're talking about trying to get people to reduce their waste and recycle what can be recycled and that is a way that many other places have found successful. I'm just trying to answer your question. Why not make it a tax and that's a good question and this is what I think is a good answer

to that according to what other municipalities' experiences have been."

Bill Nohejl, "As I said, I would be for the \$40 per ton if it were put into escrow for the covering of the landfill and anticipating trucking off the Island because that is a reality that we must face. Now, when it comes that you have to truck off the Island, I know d--- well that these fees are going to go out of the roof. And now, you anticipate this happening, why not put it into the escrow account and put that into the budget and not hide it the way it is now. Sure it would have been higher taxes. But nobody wants to face higher taxes in an election year. We know that. So it's kept down. So now after election is over, now it comes \$40 a ton."

Supervisor Janoski, "I think the \$40 proposal was made before the election."

Bill Nohejl, "Yes, I know that but it also stated in the paper that this would be used in the general fund for the operation of the town and this I'm strictly against. So now also while I'm here and maybe it's premature, on the recreation fees. You know we're paying \$2,000 a dwelling and all these fees go into the general fund."

Supervisor Janoski, "I'm afraid not on that one Bill."

Bill Nohejl, "Well, thank God. I hope not because that resolution has already been passed on that one that it shall stay into an account. And may asks, maybe you don't know the figures exact, what is in that recreation fund right now."

Supervisor Janoski, "A few thousand dollars but next year we should see a rapid increase in that because the two year period is coming to an end. You pay \$2,000 at the sale of the lot or two years. So when two years go by, all the fees must be paid on all the lots or the units. So in many cases, that two year period is up."

Bill Nohejl, "But again, I'm against it and I'm for it if it's done in escrow. Thank you."

Supervisor Janoski, "Okay. Joe."

Joe Sykora, Riverhead, "President of the Mobile Home Association of Eastern Suffolk, Inc. We're against the tipping fees. For one reason; taxes are going up and already one mobile home park due to the taxes, the rent has increased \$50 a month. And if these tipping fees go into effect, that means another \$15 a month into our rent."

Supervisor Janoski, "Thank you Joe. Is there anyone else present wishing to address the question of the \$40 proposed fee?"

Mike Kent, "I'm here representing the Riverhead Chamber of Commerce. I think what we've got here is a reality of life that unfortunately, nobody can do anything about. And we discussed this and we have voted to support the Board in the increase as long as there is a limit put on what homeowners and business would have to pay. And it's my understanding that the Board is proposing regulating fees of \$18 for once a week curbside pick up, \$24 for twice a week curbside pick up and \$10.45 per cubic yard per collection for businesses. And I think it's fairly well established that the tipping fees have to go up at the dump. And if in conjunction with that, the charges could be limited to those numbers, then it's probably as fair a thing can be done. Thank you."

Supervisor Janoski, "Thank you. Is there anyone else present wishing to address the Town Board on the matter of the proposed increase per ton fee to \$40 at the landfill?"

Councilman Boschetti, "Inasmuch as comments been made from this Board regarding this, I'm going to make my comments. I didn't plan to but inasmuch as we have official comment on the record from the Board, I think I must make a couple of comments of my own. Number one; I'm somewhat surprised at the Chamber's position that they're going to support these fees. I don't know what kind of an analysis they performed but I know they didn't talk to me and I don't know if they talked to anybody else but I sure hope they did before they came out in support of anything. As far as I know, under the Supervisor's budget that was submitted back in October, the Sanitation Department was not scheduled to close. It was scheduled to operate. I'm referring now to a budget analysis that was prepared by the Accounting Department. Under the Supervisor's budget, the tax rate would have increased 4.47%. The tax rate under the budget that we're now looking at is 3.64% but that includes spending that's over \$640,000 more than submitted by the Supervisor. Now, the difference between the tax rates is less than 1%. I'd like to ask the Chamber or anybody else, where is that additional money coming from if not from the fees? I've said it before and I'll say it again, these fees are primarily designed to do nothing more than balance a budget that has inflated expenditures way beyond what I expected to see come out of this Board, particular this year when we all know our economy is weakening every minute and we don't know when the end of it will come about. I just find that completely irresponsible. And I'm sorry to have to say that because I wanted to have a different parting message to my fellow Board members tonight because this is going to be my last regularly scheduled meeting that I will be in attendance. But I can't let this go by because obviously there are some things here being said that I disagree with and I had to say what I think is the truth. And that is; you are correct, the speakers who have gotten up and said so, I agree with. These fees are going to balance the budget plan and simple. Thank you."

Supervisor Janoski, "I see someone waiving a piece of paper way in the back there."

Ken Ross, Aqueboque, "Perhaps I'm incorrect in assuming that the anticipated increase in fees have already been incorporated in the receipts in the budget. And perhaps I'm incorrect in assuming that the majority of the Board is supportive of the new fees. What I don't understand is why we're having a public hearing on something that is already a faitaccompli but maybe my assumptions are wrong."

Supervisor Janoski, "The Board can choose not to enact the fees."

Ken Ross, "You've already incorporated the anticipated fees in the budget, correct?"

Councilman Pike, "Budgets are planning documents. You don't have to spend everything out."

Ken Ross, "I'm well aware of that Mr. Pike. My assumption is that the fees have been incorporated as a receipt anticipated. If you don't enact it, there's going to be a bigger shortfall. I'm assuming that a majority of the Board supports the fees. Why do we have a public hearing after everything has been decided?"

Supervisor Janoski, "Is there anyone else wishing to address the Board?"

John DiVello, Jr., Mattituck Sanitation, "This is just an old put on that we came out here just to say nothing."

Fran DiVello, "You've already made up your mind. Excuse me. Let me get out of the way. Go ahead John, talk."

Supervisor Janoski, "Wait a minute."

Fran DiVello, Mattituck Sanitation, "I'm not a lawyer. I'm not anything. I'm a grandmother, I'm a mother and I'm aggravated. All right. I'm in that business. I see what goes on. John read a letter that had nothing to do with pertaining to this part of the business. However, it went over everybody's head. We just said, we told you what we increased our customers. We hated doing it. We know you're in a rut, okay. The shock of paying \$20 a ton after paying \$2.25 the year before, that's a lot. All right. Now, that \$20 a ton brought in revenue of \$126,000 to Mattituck Sanitation. It came from my customer to Mattituck Sanitation to Riverhead Town Hall. \$127,000 you will be paid by the end of December. I mean, you know, when you raise this 40 you want to put the tipping fee and put a cap. You want to put a cap on that. Where are we going to get the money to pay you people? Make it down in the cellar. You don't want to pass it onto the consumer? Neither do we. What I'd like you to say is not \$40 a ton. No, no, no. Go easy on us will you please."

Everybody here is trying to make a d--- living. Everything is high. Taxes, this that and the other thing. I understand you're in a problem. Get together with the carting men, sit down, see what they can do. See how they can help you with recycling and this and that. I'm hot. Right now I'm getting very nervous. They didn't want me to come. You went and you got (what do you call these people that help you?) consultants. You paid them big dollars. Here's your consultants. All these people. The Japanese people, I hate to say this, the Japanese people are way over us. Why? Because they take everybody into consideration, everybody and this is what we've got to start learning to do. You won't have to spend all this money. There's brains out there, common sense out there. Use it. I'm more than sure they'll find a way for you. But look, things are bad for everybody, everybody. Like I said, my first priority is my family, my grandchildren and the business that puts the bread on the table. Do I talk English or what? You can't keep doing this. There's got to be a time to say, stop. Let's sit down. You don't put down.... We're a family operated business. I know you're getting bored with this."

Councilwoman Civiletti, "I'm not getting bored with this. I hear what you're saying. You can't just say no. You have to have something else to do."

Fran DiVello, "I'm not saying no. I'm saying don't choke us. Don't choke us. All right. Put the belt on tight. Like a family operation, we put our belt on so tight our eyes bulge because we're a family operation. We do without. So do a lot of these people here. What we do here tonight, you better think about it. You better think about it long and hard. Take your paper and pencil. You can make it work. You can cut corners. Ask them, they'll show you. Ask me, I can budget anything. Ask my kids. Them for the grace of god, my husband and my boys, I have the power of the pen. I run the business. I allocate the money. Priorities first. Priorities first. We take care of maintenance, the safety equipment. The kids are on the back of the truck. You've got to know that this operation is going to go but you've got to have the money to function. I'm not going to go out and buy a brand new.... I live in a 200 year old house. I'm dieing to fix it. Nine years I've been there, ten years. I don't dare because I funnel the money to the business. You people have got to learn how to tighten your belts and put your money where it belongs instead of getting this consultant and this guy and that guy. Don't do nothing honey, talk to them. Talk to them. I'm going to sit down and have a cigarette now. I'm mad."

Supervisor Janoski, "Is there anyone else present wishing to address the Board on the matter of the proposed increased to \$40 per ton? That being the case and without objection, I declare the hearing to be closed."

7:45 PUBLIC HEARING PERTAINING TO INCREASING TIPPING FEE TO \$40 PER TON CLOSED AT 8:56

Supervisor Janoski, "The next hearing in order is the proposal for building permit fees. These hearings are on fees George. The hearing on regulation of your industry is a hearing that will come later."

Patricia Moore, Town Attorney, "As the Supervisor just mentioned, these are building permit fees. The fee structure has been increased by approximately 30% across the Board and they've been published in the paper. If anybody wants to know a specific fee, I'd be happy to state it. We've increased the penalties. Again, if people build in violation and we have a decision by the court that finds a violation, than rather than the \$100 fine which was really just a slap on the hand is now going to be up to \$500. You'll have to wait. We are increasing the fees for minor subdivisions and major subdivisions. The increase has resulted, for the most part, in a doubling of the fees from \$50 (for example) to \$100. That's about it."

Supervisor Janoski, "Thank you. Is there anyone present wishing to address the Town Board on the matter of the proposed increase building fees? Yes, Alice."

Alice Graff, Riverhead, "I feel penalty fees are no where near enough if it's a major problem. There are people who circumvent the situation. And when it comes to a major project, \$500 is nothing. Thank you."

Supervisor Janoski, "Thank you. Yes sir."

Mason Haas, Jamesport, "I laugh. You're increasing the fees 30%. I'm in the title business. That business is off 30 to 40%. People can't buy houses because the houses are too high and you're going to increase the fees which in turn will be passed on to the people who are going to buy the house. This doesn't make sense. It really doesn't. I'm working over here at the County Center. The title industry is cutting back left and right. Everybody is waiting to see what work is going to come in and you're increasing the fees when everybody's talking that the houses have to come down in price. So we're off 30 to 40% and you're going to increase it 30%. Increase the fines but not the fees."

Supervisor Janoski, "Is there anyone else wishing to address the Board on these building fees? Bill Nohejl."

Bill Nohejl, Aquebogue, "Again, I ask where's this money going and for what purpose?"

Councilman Pike, "Bill, this and several of the other budget line items rose.... The 30% number actually comes from an analysis of what we thought the shortfall in this particular

department would be between income and expenses. It looked like, with a slight turn down in the number of permits we were getting, although this town; permits have gone up every year and this year we're operating on a rate higher than last year. That with the increase in salaries, we needed to raise it 30%. All of the rates are on an average of 30% so that the department would pay for itself. So that's where the numbers come from. So the income will equal (roughly) the cost of running the department."

Bill Nohejl, "Have you cut the budget on the Building Department and the Planning Department?"

Councilman Pike, "No. In fact, with the CSEA settlement, we had to obviously, increase it."

Bill Nohejl, "By 30%?"

Councilman Pike, "The CSEA component of it works out to be approximately, with all of it, 10% if you include..."

Bill Nohejl, "That's all of CSEA. There's only a few people..."

Councilman Pike, "Just to answer your question. The department clearly did not pay for itself. This year we're trying to make it do so. "

Bill Nohejl, "There's a few people in the Building Department that are CSEA. Do we have to pay for all the CSEA out of this?"

Councilman Pike, "No."

Bill Nohejl, "Well, that's why you're going up 30% on this."

Councilman Pike, "Last year we were 20% short in income for expenses."

Bill Nohejl, "I still say it's going into the budget."

Supervisor Janoski, "You're absolutely right Bill. It's not going into my pocket."

Bill Nohejl, "It's going into the budget that you did not put in for the tax reasons to compensate for cutting of the taxes."

Supervisor Janoski, "Bill, we collect revenue. It comes in the form of taxes and fees. I have no way of know which dollar is a fee, which dollar is a tax dollar. But there is an operating cost to the service. I don't remember the last time the Town of Riverhead increased its building fees and we did discover also that we were pretty much below surrounding communities. Do you

think that provision of inspection services and all that goes into the operation of the Building Department and Planning Department is something that should be subsidized by the people who use that service or should it be spread through the general tax rate because that's what we're trying to do here. We're trying to make the service pay for itself and by those individuals who use the services; the review of plans, the inspections that must be done, the staff that's necessary in the matter of a subdivision. If you think the fees should then be removed, then we can put it all on the tax rate."

Bill Nohejl, "I didn't say removed."

Supervisor Janoski, "The money is going into the fund, yes. Absolutely, no question about it. This is a source of revenue. But we are trying to arrive at a fee that allows revenue to come into the to pay for those services which a specific group of people use, for the most part; builders and those who apply for subdivisions. Rather than have the average taxpayer who is not receiving those services, subsidize that cost with higher taxes rather than higher fees. I think, personally, it's a good idea but you may differ."

Bill Nohejl, "What I'm saying is that it was not anticipated in the budget what was supposed to be allocated to each department and now this is coming in to make up the budget."

Supervisor Janoski, "That's not true Bill because the budget for the Building Department was first done some time in October. I'm sorry, September. And I don't believe it changed at all in the further deliberations of the Board which was passed in November. So that the anticipated cost of operating the Building Department remained virtually unchanged if changed at all. So the anticipation of the cost of running that department absolutely was there. What came later was the idea of increasing fees to pay for that operation rather than have the cost come from the taxpayers in general. Having people who use that service contribute to the operation of that department."

Bill Nohejl, "I noticed that one member of the Building Department has been on leave for six months and I also notice that the work has been done very well in his absence."

Supervisor Janoski, "That's questionable but okay."

Bill Nohejl, "The permits have been going out much more favorably to the people who apply for a permit. Not a long waiting period and there seems to be harmony there to my understanding."

Supervisor Janoski, "Well, come spend a week with me sometime with me Bill and I'll show you the harmony."

Bill Nohejl, "Yes I know. In Town Hall it's very blah; the harmony."

Supervisor Janoski, "I'm talking about the complaints that I get on a daily basis concerning the operation of that department but this is not the time to get into that."

Bill Nohejl, "Ok. But I still think that it's to make up the deficit in the budget."

Supervisor Janoski, "What deficit? Yes, way in the back."

Ken Ross, "Perhaps I'm wrong. I'm assuming that the anticipated increase in revenues is incorporated in the proposed budget as an anticipated receipt."

Supervisor Janoski, "Absolutely."

Ken Ross, "Perhaps I'm wrong in my assumption that the majority of the Board favors the increased fees."

Supervisor Janoski, "That is yet to be determined."

Ken Ross, "It is yet to be determined?"

Supervisor Janoski, "We haven't taken a vote on it."

Ken Ross, "I'm wondering why we have public hearings after the monies have already been incorporated in the budget."

Supervisor Janoski, "Because the Town Board has the option to pass the fee or not to pass the fee."

Ken Ross, "But if you're interested in public opinion and it's questionable in your mind, why do you put it in the budget before you have the hearing?"

Supervisor Janoski, "There was a hearing on the budget some time in November."

Ken Ross, "On these fees?"

Supervisor Janoski, "On the budget proposal. Yes Warren."

Warren McKnight, Wading River, "In reference to that hearing, I think it took place approximately November 8th. They had a big stack. It wasn't available to everybody here and I think it was the wrong way to present the budget. In other words, there were a number of things. They had East End Arts Council and different things like that. It really wasn't broken down so the common citizen working 40 some odd hours a week with a family and everything else, could hear about this."

Supervisor Janoski, "The announcement of the public hearing was placed in the papers ten days prior to the hearing. Any question that anybody had concerning the budget could have been asked at that ten day period which intervened. Copies of the budget were available for scrutiny. Yes, we didn't have a copy of the budget for everybody in the town. You're right Warren. But if anyone wanted to go through it, needed any explanation, that certainly was available because I did it myself."

Warren McKnight, "May I recommend for a better.... If it's possible, almost like a Reader's Digest form to have a glossary and say these are the areas citizens might be concerned about. They might be something controversial or something like that. Because when the people come up here tonight, this is what happens. This is what I'm saying. There would be better communication (as I said before) between the public and perhaps business and industry and we wouldn't have businesses leaving town and more businesses with the problems we have now. To clarify these things so people understand so they can work better with you. So maybe next year this is an idea for the incumbents and new people coming in if they could present it in more of a digestible form and say these are areas that perhaps a citizen should look in to or perhaps the papers should do this. Thank you."

Supervisor Janoski, "Can you just please chair, I'm just going to go for a couple of minutes."

Councilwoman Civiletti, "I want to try what Joe was trying before on these building permit fees. Some of the fees in this section and the public hearing that we had before and maybe in one yet to come, some of them haven't been changed in as much as twenty years. There was one that hadn't been changed since 1968 and everybody knows how the cost of all businesses, certainly most of all probably government, goes up. The question boils down to this. I'm building a house and I'm paying (for argument sake) a building permit fee of \$600 and the cost of the processing of that application is \$800. Who should pay the other \$200? Should it be me who is building the house? Or should it be every other taxpayer in the Town of Riverhead because that's what the question is here? What we tried to do here is increase the building permit and Zoning Board etc. fees so that they more or less cover the cost of processing those applications."

Councilman Lombardi, "Excuse me sir. If you want to come up, would you please come up to the mike."

Councilwoman Civiletti, "That's the man from the title business. I understand that. I understand that."

Mason Haas, Jamesport, "You don't understand that. You people don't. There are people out there that can't buy a house. There are people out there that can't buy a house. You have people walking in Riverhead that can't buy a house. They can't come up with a down payment. The housing industry has to come

down and now you're increasing the fees when we're starting a seven year cycle which could possibly be a recession. This business runs in seven year cycles. We had a great time eight years ago. That's when you should have thought about increasing the fees. If anything, that's when you needed to increase your operating budget. Right now that department should be chopping its budget. It shouldn't be increasing it because the industry is not there. The business is not there. I don't care what you say. I see it. I work with.... County Center has the records. You see the people in there working."

Councilwoman Civiletti, "I understand what you're saying and I'm not disputing what you're saying about the Real Estate market. I was addressing a question of is this a hidden tax that Mr. Nohejl and somebody else raised."

Mason Haas, "I have to agree. I think it is because I don't see where you justify this department now having a higher workload that it needs a bigger budget again. At least a 30% increase, that's ridiculous."

Councilwoman Civiletti, "I just wanted to, using a hypothetical, clarify what this was about."

Councilman Lombardi, "Thank you. Anyone else? George."

George Schmelzer, Calverton, "Why should it cost 600 as I understood you to say, to get a permit?"

Councilwoman Civiletti, "I just pulled a number out of the air."

George Schmelzer, "Is that the number you're going to put down?"

Councilwoman Civiletti, "That was just a make believe number."

Councilman Pike, "The actual number for a 2,000 square foot house under today's rates; standard building construction would be \$204 for the fee."

George Schmelzer, "An odd number, \$204.98. What's so costly about that even for \$200? What do you have to do?"

Councilman Pike, "Have you built a house?"

George Schmelzer, "Not lately. I wouldn't get a permit for a house. I'd just build it that's all."

Councilman Pike, "That's why the fines are going up George."

George Schmelzer, "That's another thing. If you want to fine people \$500, the defendant has to hire a lawyer. If the town loses, do we pay that defendant's lawyer? How about it."

Councilman Pike, "George, you well know that the lawyers get paid one way or another."

George Schmelzer, "I know. That's the trouble. They shouldn't have lawyers on the Town Board. Maybe that's why you didn't run. It would be sportsman and fair if the Town accuses somebody of violating of some little measly code or nitpicking code and the defendant loses and you want to fine him \$500. Then if the Town is wrong, they should pay the defendant's lawyer. Or can the defendant go to the Legal Aid Society on this? No answers."

Councilwoman Civiletti, "I do but I can't say it."

George Schmelzer, "You can't answer it?"

Councilwoman Civiletti, "Not in public."

Councilman Lombardi, "We'd rather listen to you George."

George Schmelzer, "Not in public. Well, tell it to me in private. You can't answer it. You're supposed to answer publicly here. That's your job isn't it?"

Councilman Lombardi, "No. Our job is to listen to you."

George Schmelzer, "I never paid you for that. I thought it was all free."

Councilman Lombardi, "We're here to listen to you George and then we'll make a decision."

George Schmelzer, "I don't know. That's a strange government we've got now. It's getting more like the Russians every year. Thank you."

Councilman Lombardi, "Thank you George. Anyone else on the building permits? This hearing will be closed."

7:45 PUBLIC HEARING PERTAINING TO INCREASE TO BUILDING
PERMIT FEES CLOSED AT 9:15

Patricia Moore, "I think we have one more under this time frame. We have beaches and recreation. This applies to what has traditionally been called the Beach Buggy permit fee. In the past we have not had a fee for motor vehicles that operate on the beaches. We've had other public hearings where we've considered banning vehicles from the beaches on the Sound. And at that time, it was adamantly opposed. One of the suggestions that were made were why don't we impose a fee so that we will to some

extent, control the number of permits that were issued just by the cost. And that the fishermen, who are really the ones most adamant about keeping the beaches open, can pay for the fees and the permits can then regulate the use of the beaches. As far as the cost, it would be a \$50 fee for a one year permit and we are increasing the penalties. So that when we have violators, people who violate the provisions of this section, the old fine was \$100 which was not a sufficient penalty. The penalty provision would be \$500. We also have an impound section in the code where if the police impound the vehicle, the old fee was \$100 and that did not seem sufficient. And the impound fee will be increased to \$250 plus a ten day charge for every day after the first day of impound. There is also a cost of parking permit fees. For residents of the Town of Riverhead, the fee would be a \$10 fee, \$10 annually. For nonresidents it would be \$75 annually, \$10 daily. The hotel/motel parking permits would go to \$50 annually. Those are the fees."

Councilman Lombardi, "Thank you Pat. Anybody who would like to speak on this? Sir."

Gary Cobb, "In Mr. Janoski's absence, members of the Board. I'm a member of the Long Island Beach Buggy Association and I hold a seat on the Board of Directors of the East End Surf Fishing Club based here in Riverhead. I'd like to go on record as would our club, as being opposed to any levying of fees for the use of town owned beaches and accesses. The problems faced by Riverhead Sound Front property owners will not be resolved by charging already over taxed town residents for permits to use that which is theirs. Protection of private property by the town Police Department should be a right already afforded to all resident taxpayers regardless of geographic location. The sound-front properties within the town need only be viewed as any other residential area accessed by town and private roads to the south and a state owned public right-of-way to the north. Namely, the sound beach below the mean high water mark. If the problems being encountered by the sound front owners were to occur in downtown Riverhead, beefed up police protection would be a matter of course and we're sure it would be accomplished without raising toll booths and charging residents who wish to travel the roadway that transverse the problem area which is in effect, what this fee would be accomplishing. Controlling the town owned access points to the Sound beach such as exists at Wading River Beach and Roanoke Landing among others is a must. This task can be accomplished by better utilizing the part time summer employees during the beach season and augmenting them with civilian volunteers during the off bathing and post beach season hours. This would be a much more cost effective program that would be the higher of additional police officers and the purchasing of expensive four-wheel drive vehicles which we are told would make necessary the proposed \$50 buggy fee. Once again, we, the members of the East End Surf Fishing Club, volunteer our services to assist the town in any way necessary to insure that Riverhead beaches remain open and free to the townspeople. We have met

with the Chief of Police, Lawrence Grattan, and he has indicated that he would be more than willing to assist in devising and implementing a civilian augmentee program such as the beach warden program now in place in the Village of Southampton. We see the implementation of such a program in conjunction with effective usage of summer employees as a satisfactory solution for all concerned parties. We ask the Town Board at least entertain our proposal before making any expensive decisions."

Supervisor Janoski, "Thank you. Yes."

Dale Young, Oliver Street, Riverhead, "My family and I belong to the Long Island Beach Buggy Association and we also belong to the Surf Club in Riverhead. And our family has been involved in beaching for close to 20 years. My children grew up on the beach. We enjoy it. They've learned a lot of respect for the beach and the environment. And I feel our taxes are already overburdened as everybody else does. The \$50 fee that is imposed, is extremely out of the question. I feel the money can come from some other place besides taxing the fishermen. I feel also that there is enough against these fishermen. They shouldn't have to pay these ridiculous prices. I'd like to see nothing for a fee and I'd like the Board to strongly consider that."

Supervisor Janoski, "Thank you. Yes."

Mason Haas, "Secretary of the East End Surf Fishing Club. You have a fee of \$50 for the beach buggy and a fee of \$10 for the beach parking. What will this money be used for? Can the Town Board tell us this? How will it be spent?"

Councilman Pike, "This budget with the fees in it, has also in it the addition of a half year, the equivalent of a Bay Constable but for the Sound front. One of the ideas that came from the numerous hearings that we had about banning 4X4 from the beach was that we had a fundamental problem with enforcement of existing regulations up there. So that basically, most of the money that's raised by the fee, the \$50 fee is used to pay for both the manpower and the equipment for somebody who would be able to patrol up and down the beach. He, that individual will also be charged with responsibilities. Taking up the other half of his suggestion there which is sort of a Bay front equivalent of a neighborhood watch. He would be the central coordinator and the person that you would be contacting in case you were seeing a violation by somebody on an ATV, three-wheeler or somebody running up and down the dunes. So that the enforcement problem can be handled. Primarily the money goes to provide that additional service."

Mason Haas, "That is the beach buggy fee?"

Councilman Pike, "Yes sir."

Mason Haas, "Are you aware that your beach buggy fee is higher than Southampton Town and the County on beach buggy fees? You are higher than them. You can come down in price at least and make it a little more realistic. We are willing to work with, the people from the Surf Fishing Club, you to help keep the cost down and yet you came back with a price that is quite excessive. Now how about the beach parking permits."

Councilman Pike, "Again, we did an analysis of the Recreation Department to figure out whether it paid for itself. It does not. The Recreation Department further, is traditionally the single most vulnerable budget line because it's considered by many people to be a luxury. Now, I think we all know that if you don't spend on recreation, you end up spending more on police and that there is an interconnection there. But the idea, generally speaking again, was to look at each of these as a profit center to do a business like analysis of what goes in, what goes out. And the basic idea is to enable those who take advantage of recreational services to pay for them. That number is arrived to do that."

Mason Haas, "The recreational services though, is that regarding the beaches? Is that what you're saying when you mean that?"

Councilman Pike, "Basically, it's free now to go to the beach now with the lifeguards. We're also raising the rates administratively for the programs at the High School and things like that so that they will pay for themselves."

Mason Haas, "I see there only two beaches with a lifeguard. The one in Wading River and the one in Jamesport. Am I correct? Those are the only two with lifeguards? I'd just like to go on the record as being against it. I feel that both fees are in excess."

Supervisor Janoski, "Yes."

Ken Ross, Aquebogue, "I assume the fees have been incorporated in the anticipated budget, the fees we're discussing. I assume if they're not raised in accordance with what's proposed, that there would be a shortfall in this respect."

Supervisor Janoski, "Yes."

Ken Ross, "And I assume the majority of the Board at the present time is in favor of these fees."

Supervisor Janoski, "That's yet to be determined."

Ken Ross, "I'm wondering whether then that anything that is said tonight by the public will have any effect on the various members of the Town Board."

Supervisor Janoski, "It certainly will."

Ken Ross, "And it might influence their vote?"

Supervisor Janoski, "Any number of the subject that we have under consideration, yes."

Ken Ross, "I'm talking about the fees."

Supervisor Janoski, "There are a number of fees that we're looking at."

Ken Ross, "You may change your minds then."

Supervisor Janoski, "You never know what's going to happen."

Ken Ross, "No, we never know. You may change your mind?"

Supervisor Janoski, "Me personally, yes."

Ken Ross, "You might? Can I poll the Board on that?"

Supervisor Janoski, "I don't know. You can't. I don't know that we came into this hearing with a preconceived idea."

Ken Ross, "But you already put it in the budget."

Supervisor Janoski, "Yes."

Ken Ross, "Thank you."

Supervisor Janoski, "One more question."

Ken Ross, "No, I have no more."

Supervisor Janoski, "I have one. Could you put on the record your name."

Ken Ross, "I've stated it twice. For the third time Mr. Supervisor, Ken Ross of Pine Street, Aquebogue. Thank you."

Supervisor Janoski, "Yes."

Bob Gammon, Laurel, "I would like it read into the record that I am a taxpayer on two parcels in Riverhead Town. So I feel I have some justification for standing up here and saying what I have to say. I too, am also a member in longstanding of the East End Surf Club. I'm truly alarmed at what I'm hearing here this evening. Right now we're facing a crisis on the eastern end of Long Island. What we need is more encouragement for small business, for entrepreneurs and for people to stay on the east end of Long Island. What we're perpiciously doing is chasing everybody off of Long Island. We're creating such a strangle hold on them

that you talk about leisure activity. I know in my own personal case, I right now have two businesses which I'm working 12 to 14 hours a day. Occasionally when the dictates of my life afford me the luxury, I look forward to with great anticipation going and fishing the beaches of Riverhead and Southold towns since I'm a taxpayer in Southold town too. Now you're telling me and you're telling everybody in this room that you're anticipating strapping us with a \$50 user fee which in essence, is going to go into the general fund and we all know what happens when the money goes into the general fund don't we? Now, the other thing that intrigues me too is that I have not heard one word..... It disappears. I have not heard one word of cost effectiveness. Being in two private businesses, I know what it is as Mrs. DiVello said earlier this evening. I applauded her for what she said because she's right. Another gentleman asked; what did you do as far as the Building Department is concerned. Well, in a small business you learn d--- quick or you're out of business d--- quick. What you have to do, what is necessary. Cut costs gentlemen and ladies. Cut cost. And you have to cut heads, that's the way it is in private enterprise and that's the way it d--- well better get in government. So I am definitely vehemently not in favor of any kind of additional fees. We're paying too d--- much for too d--- little right now."

Supervisor Janoski, "I hate to bring this up. But the idea of hiring a part time Bay Constable came from the four-wheel drive community. Because what was identified over and over again was enforcement as the solution to the problem. And the people in the four-wheel drive community stood at that microphone and said we will pay a fee. Now if it is the judgment of the four-wheel drive community that enforcement is not a problem and we remove this provision or don't hire a part time Bay Constable, then we don't have to talk about the fee at all. But you can't have it both ways. You can't say at one hearing; we're willing to pay a fee and we need this enforcement to end the problem. And then come to the hearing on the fee and say; we don't want to pay the fee. You just can't do it both ways. You've already been recognized and I'll recognize you later again, Larry, once everybody who wants to be heard can be heard."

Larry Taylor, Calverton, "I was to this meeting once before on this beach buggy. What do we get for our money with this 50 bucks, I don't know. Right now if we go to the beach, your approaches to get to the beach are garbage. You have done nothing. There's no asphalt going to it or anywhere or any access to it. Is this fee going to be for a resident only or is it going to be a fee for outside residents where outside residents are also going to have access to this."

Supervisor Janoski, "Residents only."

Larry Taylor, "Another question I want to ask. If this Bay Constable is going on the beach and if a beach buggy has access coming from a private road and goes to the beach, does the Bay

Constable have jurisdiction to take him off that beach without a permit?"

Supervisor Janoski, "Yes."

Larry Taylor, "When he comes down on an access on a private road?"

Supervisor Janoski, "I don't think the access has any bearing. I'm not an attorney. But once you're on that beach, you need a permit. How you get there is not a concern of the ordinance."

Larry Taylor, "All right. If we pay the \$50 fee which you're asking, do we get access to the beach to come on any time we want to go fishing in the summertime? Because what you're saying right now you're charging us \$50 but you're not saying we can have access to the beach. In other words, if I want to go down in the summertime at 9 o'clock or 10 o'clock in the morning and go with my wife and sit there and go fishing at 10 o'clock and come off the beach at 6, I can't do that the way it's set up right now. Is there going to be an access to go down to that beach if I'm paying that fee?"

Supervisor Janoski, "There is no proposal at the present time to change that schedule. But what you're saying is that if you pay the fee and the problem that has been experienced disappears because of the enforcement, will the Town Board consider some amendment to those times that you are restricted to. Is that what you're saying?"

Larry Taylor, "I would like to have it so that we could have the access to get to the beach to go fishing. If you come down.... I work here all week long and I come down on the weekend come Saturday and Sunday and my wife and I want to go to the beach and I want to go swimming and do a little fishing and I want to go at 10 o'clock in the morning. I'm restricted and I'm paying the fee and I can't go. I'm already a taxpayer and now I'm paying on top of it again."

Supervisor Janoski, "The regulations were the result of problems experienced on the beach and that's what happened. And I think you're anticipating that enforcement would remove those problems which were experienced and caused the regulations in the first place. And if that were the case, would the regulations be removed. It makes sense."

Councilman Pike, "Let me also comment favorably on that idea. Mitch Szkrypecki at the last hearing, talked about that. The other piece of this is resource allocation and over half the beach can't be reached by pedestrian traffic. They just can't get to it. That's one of the reason people have 4X4's is so they can go places people can't walk to and take amenities of fishing or a picnic or something like that. If you could safely provide

a system to manage transit during the day on and off to areas where there would be no collision between pedestrians and vehicular traffic, it seems to me that that kind of planning would be a good initiative for getting the resource used as well as it could where now you're currently prohibited from doing that. As long as it can be done safely with this kind of supervision, I think it's a good idea."

Larry Taylor, "There is a couple of beaches that are in this town that could be possible without any problem because we don't have any lifeguards at certain parts of it and on the other end there is no bathers which would give us access to the beach buggies to go down the beach where there's X amount of miles where they can park on the beach. But like I say, I don't mind paying the fee. I will pay the fee as long as I've got the access to go to the beach. Thank you."

Supervisor Janoski, "Thank you Larry. Is there anyone present who has not yet spoken?"

Larry Swenk, Wading River, "I'm a surf caster and part of East End Surf Club. May I ask the Board a question. What times will your constable be on duty? Chances are it's going to be a daytime operation. Am I correct?"

Supervisor Janoski, "Not necessarily."

Larry Swenk, "Because what I've seen, I'm on the beach 4, 5, and sometimes 6 days a week from midnight to 4 o'clock as a walker and that's when most of the teenagers are down there racing around. So unless you have a midnight shift from maybe 8 until 4 in the morning, you're wasting your time. Bathers will throw rocks. I've seen it done. I've seen bathers walk in front of 4x4's that have traversed the beach during the day. The beach people patrol themselves then. In the middle of the night there's nobody there and that's when neighbors are calling the police about hotrods on the beach. So unless it's done in the middle of the night, these gentlemen who are going to pay 50 bucks aren't getting anything. On the state park we have air. We have both state and county. There's air at those to air down or to refill tires. Is Riverhead town going to put that in. We're getting nothing for a \$50 fee. You're saying yes we're getting.... Yes, we did stand up at this podium and say we'd pay a fee, a reasonable fee. Fifty dollars is not reasonable. You're punishing men who are not breaking the law. We're going to pay the money. And if we're willing to pay it, we're not going to race. We're not going to leave our garbage. The guys that are paying the fee aren't your problem. We're being punished. And I heard the Board members say the people that use the garbage should pay it. Why not impound a vehicle and sell it? Put it up for sale. Take the man's vehicle away. If he's on the beach, take it away from him. Fine him \$1,000. Don't punish the men that are trying to take care of this place or the guys that are already paying taxes here to support Board members, to support whatever else. Thank you."

Supervisor Janoski, "Before you leave. We sat down and figured out what a part time Bay Constable would cost. And then we took a count of how many permits were issued. And through some mathematics, came up with this \$50 fee. Is that correct?"

Councilman Pike, "I can do the math for your. There were 469 permits for 1989. We're figuring not as many be acquired. So we figured at 300 that would actually be applied. At 50 that raised \$15,000. The Bay Constable for the half year is going to cost you a little bit more than that actually."

Supervisor Janoski, "So we didn't do it to punish you."

Larry Swenk, "It almost seems that way sir. I'll be honest with you."

Supervisor Janoski, "What we were doing quite honestly, was responding to the calls at previous hearings. Over and over again, enforcement is the problem, enforcement. How do we provide enforcement? Well, we have to hire somebody to do it. And the statement was made; we're willing to pay the fee. While you didn't say \$50, I'll grant you that. We're not here to try to punish you. We're trying to make things work and balance as far as the cost of operating."

Larry Swenk, "So can I ask what we're getting for even a \$35 fee? What are we getting? Protection? We're putting somebody on the beach. What are we, the people that are paying this, getting for our money? We already have a free access to the beach right now. Now we're going to pay \$35 for what? We're not going to have air. You said enforcement. So we're paying \$35 just to say we've got enforcement now. The only thing we're getting? Unless that enforcement is there at 3 o'clock in the morning, I'm sorry, you're wasting our money and your man's time. Most of your complaints, I would bet, are between 10 o'clock at night and 3 o'clock in the morning. So a day time constable is out of the question. That is stupidity."

Supervisor Janoski, "I don't know that we've scheduled the constable. We haven't even hired him yet."

Larry Swenk, "Being that we're discussing it, if it's going to be done, let's consider highly from 10 o'clock at night because the kids aren't really drunk until 10. Let's face it. Let's face facts. That's why they're down there."

Supervisor Janoski, "What you have to understand, I don't remember you being at the previous public hearing. Maybe you were. Is what we had going is a little conflict in the community between people who live on the sound area and gentlemen like yourself who enjoy four-wheel drives, going fishing, having a little picnic on the beach. It appeared to us that the testimony that we received made sense to us. If the complaints are really not about you gentlemen, that it's other people who are causing

all the trouble and I should say ladies because I know many ladies enjoy the fishing, and that you were willing to pay a fee to provide the enforcement and that's what the testimony was. We said gee, that's not a bad idea. How much will it cost? We did the calculations and came up with a figure. We didn't say anything about providing air pumps. We didn't say anything about providing roadways. We talked about only enforcement. Now, if we want the conflict to continue, heck I won't support the hiring of a part time Bay Constable. Then we don't need the \$50 fee. So we can forget about the whole thing."

Larry Swenk, "Do we lose access to the beach?"

Supervisor Janoski, "Oh no. You still have access to the beach but you still have that little conflict going there. Because someone other than you who I believe is responsible, is causing all sorts of trouble at the beach at 2 o'clock in the morning if you say so. But you are getting the blame for it. And everybody who drives four-wheel drive is being put in the same category. So we, as a Town Board, and I think all of us one to provide this part time enforcement, came up with this idea. Now, I'm a taxpayer. I don't have a four-wheel drive. I haven't seen the beach in probably three years in the town. The last time I was there was to go down and look at something. Should I pay for this enforcement for that particular specialized.... You can make the argument both ways."

Larry Swenk, "I understand what you're saying in that."

Supervisor Janoski, "So it was an idea that we had and that's the purpose of this public hearing. To see how, in particular, you guys who are going to buy the permits, feel about it."

Larry Swenk, "Then use us a help like East End said; we would as Southampton did, auxilarize us to be able to call your man."

Supervisor Janoski, "The last time I talked to the Chief of Police about that, I didn't get that answer but you'll get a turn. We'll be here all night. Yes sir, with the green shirt."

Stan Lewandowski, Manorville, "I was at the previous meeting although I did not speak. I'm a member of Long Island Beach Buggy Association and I sit on the Board of Directors of the East End Surf Club. Before you as a town, go ahead and adopt a \$50 fee, a \$35 fee, whatever fee, whatever program you implement, I would just ask for the fishermen that you at least sit down with Chief Grattan and the Surf Club and some of the guys from Southampton that operate a volunteer patrol and maybe it won't cost you \$15,000 for a salary."

Councilman Pike, "Let me just add to that very good creative suggestion. Is that somebody has got to go down and actu-

ally use the physical enforcement. You guys don't want to be put in the position of making a citizens arrest. You don't want to be making citizens arrest. We have two choices for people who can cite or enforce the law. One is a police officer and one is a constable. And police officers are a factor of three times more expensive than constables. So keep that in mind when you're talking about who we bring on here. Again, I reviewed the numbers. This fifteen is figuring something like \$25,000 for a constable full time. Take half of that plus his operating expenses, is going to take it over the amount of money that this fee raises. If you lower the fee, we don't have enough to pay for even the half time guy."

Stan Lewandowski, "I don't know all the mechanics of how the program is set up. I see it operate and I know some of the people involved out there."

Councilman Pike, "It's an essential part of this proposal and we agree with that but you can't eliminate the guy who goes down there and physically...."

Stan Lewandowski, "No, you have to.... What Southampton does have I know, is one man or one individual who is responsible for the appearance ticket. You see the wrong doing, you get on the radio. Call him, he comes down, takes the information and issues the ticket. You don't have the authority to do that as a private citizen or as a deputy of the ordinance enforcer."

Supervisor Janoski, "Let me point out that, the press does this all the time and it drives me crazy. You can't compare Riverhead to Southampton in any way. If the tax rate in Riverhead goes up 4% and the tax rate in Southampton goes up 4%, you think that's the same thing? Absolutely not. The Town of Southampton has abilities far beyond anything we dream of here in the summertime. They put on auxiliary officers, special officers in numbers beyond (I think) our entire police force. So they have the ability to have somebody respond to a call like that. Right now in the Town of Riverhead protecting all of our property, lives, safety are five people, five men wearing uniforms patrolling sectors out there. That's the difference between Riverhead and Southampton. And that's why we said well, let's do a Bay Constable part time and we can finance it through this great idea that you guys had. We'll pay the fee. So don't compare, please. Riverhead's tax base is something like a fraction of Southampton. Southampton has a bigger ability to pay than the Town of Smithtown with 300,000 people. But just recognize the differences in our abilities to do things."

Stan Lewandowski, "I understand that because you've got a different geographic area and a total different coastline for the sportsmen to work on."

Supervisor Janoski, "And also a different financial ability."

Stan Lewandowski, "For \$35 from the county, I can travel up west all the way to Montauk on a county beach. I'm not limited to Reeves and Roanoke and Iron Pier and things like that which I can't use anyway not being a town resident. Yes, I fish and I fish with friends who live in the town and things like that. Yes I do enjoy Riverhead's beaches. I work in Riverhead. But before you just go ahead and throw something together to satisfy certain individuals, sit down with some of the people that use the beach regularly and maybe the cost can be kept in line and satisfactory to everybody else. Thank you."

Supervisor Janoski, "Seems fair. Rob Goldman."

Rob Goldman Riverhead, "Just another thought. We've been talking about enforcement and I think maybe we ought to talk a little bit about education. Whatever program you come up with, hopefully it's going to be with the Surf Club and people who fish the beach and I do the same and I'd be happy to volunteer. We ought to start looking at the kids who potentially make the trouble. And if we could have some kind of little bit of programming maybe at the beginning of the summer or end of the school year so we can talk to these kids. We can talk to the parents of these kids. An ounce of prevention is worth a pound of cure. So whatever we come up with; if we do hire a constable or if we do it with a constable and volunteers, let's get to the kids too because that's really the source of the problem and the parents. So in any combination, I'd be happy to help with that."

Supervisor Janoski, "Thank you. Where is the woman who hand her hand up."

Anna Teuber, Riverhead, "I've lived here all my life and we've had six children and we raised them on the beach too. But I object to this increase of fees both residential and beach buggy. Mainly the residential. My family would have to pay \$10. Yet all these people on the bluffs can walk down to the beach and how many families are there and how many houses are by the beach and they can go. Are you going to check them for I.D.? Out at the bluffs, are you going to check them for going on the beach? I want to go on the beach yet I live three miles away. I'm not going to walk to the beach and then walk on the beach. Are you going to give senior citizen discount. I'm a senior citizen. My husband is going to retire and I just can't see it with our taxes coming from our home in the Town of Riverhead. The \$50, I think is excessive for the beach buggies. I walk on the beach. We fish on the beach. We use to enjoy a four-wheel drive but it sort went on the way. And every time we asked about Iron Pier being built up so that we could back our station wagon which had the boat trailer on it. We don't have the money. Maybe next year. And we still don't have the money. We still don't have an access to the Sound without a four-wheel drive. And \$50 is way out of line. Thank you."

Supervisor Janoski, "Thank you. Yes, Joe Lynch."

Joe Lynch, Wading River, "I just have a question of why a \$50 fee might be necessary. It seems to me two years ago, this town voted in a \$2,000 per house recreational fee that was really a controversial thing unlike other towns around. If I remember right, this had to be earmarked, must be spent on recreation. I had five houses a block away from me go up this year. That's \$10,000 just right across the street from me. Eight houses would pay for the constable for a whole year. I'm just wondering why do we have to spend \$50 a year per person when there's got to be new houses coming in."

Supervisor Janoski, "I see a hand attached to a blue..."

Leo Ceckowski, Riverhead, "Now about this \$50 fee; I, myself, think it's too much. Now you say it's going to go into general fund towards a Bay Constable. What hours are the Bay Constable going to be on the beach? What's his hours?"

Supervisor Janoski, "We haven't scheduled anybody. I don't know the answer. But it would appear to me that the best schedule would be when the problems are."

Leo Ceckowski, "Because if you're going to have them work daytimes, we can't go on the beach. So we don't need a constable on the beach in the daytime."

Supervisor Janoski, "I already heard that testimony. And I would think that we would schedule a person at the time it's needed. Is that an argument against the \$50 fee? Do you think a constable is necessary? If not, tell us that. Because we, and I'm going to say this one more time, we responded to what the four-wheel drive people told us. We will pay a fee to pay for the enforcement. That's why it's here. We're holding a public hearing on it. If you're opposed to it, let us know and that person will absolutely not be hired. I won't support the \$50 fee."

Leo Ceckowski, "Why do you want us to pay? We have a Recreation Department. We have the Little Leagues. We have this and that. There's nothing for the senior citizens. I pay taxes same as the many of the others pay taxes. Now you want us to pay for something we can't even go on the beach when we want to go on the beach."

Supervisor Janoski, "You're opposed to the fee? Is that right?"

Leo Ceckowski, "Because I fish in the morning. I go there for a couple hours and I've got to get off. During the day I can't go but you want me to pay and have somebody roam the beach and watch nobody. We have a Bay Constable now don't we? Where does he get the money from?"

Supervisor Janoski, "Yes. He's working in the Bay."

Leo Ceckowski, "What's he doing in the Bay? There's nothing in the Bay to catch."

Supervisor Janoski, "You have just convinced me and I'm going to make this announcement right now. I will not vote that \$50. I'm voting against it and there will be no Bay Constable hired as far as I'm concerned. I give up. You've convinced me. No \$50 fee. You got me. You're absolutely right. I will absolutely oppose and vote against that \$50 fee. I've made up my mind."

Leo Ceckowski, "Thank you."

Supervisor Janoski, "Who wants to be next there? You've already spoken. Who has not spoken? You."

Harry Carver, Riverhead, "I don't represent any group. I'm a maverick. I don't oppose the \$50 if it was implemented so that it could be a trial basis. Because I think that if you hire a Bay Constable for one season and you enforce the law, they'll be a lot of embarrassed people who's kids get picked up on the beach number one. Number two, the fines you impose, the guy will be able to ride down the beach in a landrover if it's enforced. And next year we won't have to pay the \$50 fee because with one years fines, you'll pay for the constable for three years. So if you hire him, I'll pay the 50 bucks if they guy is going to enforce the law and also if I can use the beach more often. Because you'll find, if you have a Bay Constable down there at the right hours, I'll be able to access the beach at the right hours. Thank you."

Supervisor Janoski, "Thank you. Is there anyone else present who wishes to be heard who has not yet spoken? Way in the back there."

Thomas Brady, Wading River, "I've been fishing in Wading River for I guess ten or eleven years now. I was at the meeting last summer when the issue of enforcement was brought up. I have been fishing with the East End Surf Fishing Club members, Wading River Beach primarily since then, six nights a week, five nights a week. My one concern was that after the meeting and issue of enforcement, I did not see the Riverhead four-wheel drive vehicle come down the beach once in all the nights I was there. I thought possibly one sweep. We have talked, many of us. I was a lifeguard for the Town of Riverhead for 20 years in 1965 to 1985. We had a similar problem at the Wading River launching ramp about (I want to say) 13 years ago. A lot of out-of-town people using the ramp and I think the fine at that time was \$10. If they went to a commercial ramp, it would have cost them \$15. So it was a bargain. One weekend, might have been the 4th of July weekend, the town came down with tow trucks. Any vehicle with a trailer, without a trailer, without a Riverhead permit was towed. Those

vessel owners were now forced into a situation with what am I going to do with my boat for the weekend. Now, they had to go back and get their boat and trailer out of impound. Pay a substantial fine at that point. The point I'm getting to is if that could be done at the beach infrequently. Put a patrol car at the access points and run the four-wheel drive down just once. Get everybody. Put them with a substantial fine. Word will get out. Riverhead is getting tough. You're going to have those fines. You're going to have people being afraid to come down to the beach if they don't have a permit and I think that will solve the problem without a substantial expenditure of the town. This is something we could possibly look into. What I'm saying I know those people who had their trailers and cars towed. They sure as heck didn't come back and use that ramp again when it cost them several hundred dollars."

Supervisor Janoski, "You know, unfortunately, most of the citizens spoke the same on a single issue today. We're talking about the beach. I guess you're suggesting having a number of patrol cars and a four-wheel drive all operated by police officers."

Thomas Brady, "Or a Bay Constable."

Supervisor Janoski, "The Bay Constable we can't have because we're not imposing a \$50 fee. Now, what laws are priorities to enforce? Do we really want to enforce drug laws, robbery, murder whatever? Is this beach thing really a high priority? In the scheme of things, no it's not. So I don't know that the people of the town want us to concentrate our police efforts on this problem."

Thomas Brady, "I was pointing out the fact that possibly one evening of one weekend or Friday or Saturday night. I'm saying even if they put a cop down there for two hours and ran it once across. The word would get out. This is just a possible solution to the problem that I see. I'd also just like to quickly address the parking fee. Being a lifeguard at Wading River, we have always had a problem with the number of vehicles using the limited amount of space. We now have less with the barrier in effect. What I would like to possibly bring to the Board is that we have day parking permits. We had always had them at Jamesport and the Iron Pier Beach. Because of the vastness of the parking lots, Wading River and Reeves Park we're limited. If possible, could we do away with the day out of town parking permits at least in Wading River and Reeves Park. We did have, a lot of times, coming down and there was no parking for people who were coming down who were town residents. I mean, Jamesport, Iron Pier, they have the room. That's all I have to say. Thank you."

Supervisor Janoski, "Thank you. Anyone who has not yet spoken? Ok. You guys who have spoken. The guy with the white sweater."

Mason Haas, "I think one of the issues that were brought up at the last meeting regarding the beach buggy was the fact that the people were calling the police and they weren't getting a response when there were people have bonfires and stuff like that. Why we need to bring on a Bay Constable when it's just a matter of responding to the complaints by the local police when they have the four-wheel drive vehicle. I don't understand that. The other point and fact is that Mr. Pike says we'll have a drop in permits with the fee. I think you'll have an increase if you start enforcing because the biggest problem was that the people who were breaking the laws didn't have the permits to begin with. They weren't going to get permits. That was our problem. They weren't even coming to get permits. They didn't even bother because nobody was checking them. So now if you're going to enforce the law by having a cop, not a Bay Constable, just a cop answer the calls when somebody calls up and says there is a big party going on down at the beach. People are driving, there's a wreckless driver on the beach. So the guy who has the four-wheel drive runs down there and hopefully he snags the guy. Once the town starts snagging more and more people, then they are also going to go out and get the permits. So you'll have an increase in the amount of permits you're going to be issuing."

Supervisor Janoski, "Would you like to apply for the job for Chief of Police?"

Mason Haas, "Sure."

Supervisor Janoski, "I can absolutely.... I really want to know how with five police officers on patrol, an accident happens; and alarm goes off, that you divert manpower to this actual group of people who aren't really causing any harm at the beach. That's really a trick."

Mason Haas, "But the problem was that the people who are living on the cliffs were complaining that this was going on in their backyard."

Supervisor Janoski, "I understand that."

Mason Haas, "So what you're telling me then; if there's a wild party going on down on my street, we can't call the police and have them come down and resolve that."

Supervisor Janoski, "You absolutely should."

Mason Haas, "Then what's the problem with them coming down and responding to a complaint on the beach, if there's a fight on the beach?"

Supervisor Janoski, "There's no problem. And as a matter of fact, I would like to look at the records of calls and responses. I can't believe that the Police Department doesn't respond. That's a very blanket statement that you're making. They don't come."

Mason Haas, "The enforcement was the problem brought out at the last meeting. So I don't see where that's changing anything by raising the fees to bring on another person when you already have the vehicles."

Supervisor Janoski, "You don't have to convince me. I'm opposed to the \$50 fee and I don't think we need a Bay Constable."

Mason Haas, "Yes and then you say we're going to have the problems later on if we come back down there and close down the beach."

Supervisor Janoski, "You're right. As far as I'm concerned, you're absolutely right."

Councilman Pike, "Your tax dollars at work."

Mason Haas, "Yes, as I see."

Supervisor Janoski, "Isn't that the desired result that you wanted?"

Mason Haas, "No. The resulted that we wanted... I mean we asked Chief Grattan to come down here. He sat with us. Southampton Village Police took the time to come down and sit with us. We spoke with Denise and Robert after the meeting right over here and they asked our opinion. After that we didn't hear from you people at all. We invited the Chief down once. We have not heard back. So what do you want us to do. And now you turn around and tell us it's in the paper. Nobody contacts us at the Board. We meet once a month and we meet right here at the Elks Club right down the street and nobody contacted us. We received a paper."

Supervisor Janoski, "I don't know what you're talking about."

Mason Haas, "Regarding the fact that now you're going to implement a \$50 fee. Nobody came back to us after we offered our help. Nobody came back to discuss it. We met with one person and nobody got back to us."

Supervisor Janoski, "Your help doing what."

Mason Haas, "Setting up a beach patrol."

Supervisor Janoski, "We talked about it and it's impractical. We can't have private citizens enforcing the law. You want to have radios... I'm sorry."

Mason Haas, "We weren't talking about enforcing the laws. We would take down tag numbers and things like that of violators. Because the biggest problem was the permit."

Supervisor Janoski, "Are you in favor of the civilian patrol? Are you in favor of it?"

Councilman Pike, "I'm in favor of something that approximates a neighborhood watch. A lot of these folks have radios and they need somebody to call."

Supervisor Janoski, "Who they going to call?"

Mason Haas, "In Southampton, they call the Southampton Police. And in Riverhead, what you're telling me is we can't call the Riverhead Police."

Supervisor Janoski, "Would you relinquish the microphone to the Chief of Police because we will find out something I've been wanting to hear."

Chief Larry Grattan, Riverhead Police Dept., "I sat down with the Surf Club at Polish Hall one night. We had a long discussion on this and I brought out some of the points which I'll reiterate tonight. I offered at that time, to sit down with them and any time again to work on the problem. I didn't know I was supposed to invite them to a meeting. I apologize. I expected to hear back from the Surf Club but I didn't. There's a big difference in Southampton. In the first place, Southampton has a Code Enforcement Officer who is assigned to this. He coordinates their volunteer beach patrol. Call it a Bay Constable. Call it a Code Enforcement Officer. It's a matter of terminology. If he is in fact, responding to the beach when they call him and they give him a license plate number and an allegation that somebody did something wrong and he is bringing that violator into court based on that alone, he is putting the Village of Southampton in a very dangerous liability position. You can not bring people into court based on hearsay. The person who witnesses the violation is the person who must come into court and make they complaint and that is the volunteer. You can not give a plate number to someone and have them go and arrest the violator based on hearsay, allegations based on a plate number that doesn't even identify the operator of the vehicle. It sounds easy to do. It doesn't work that way. Southampton Village has an open stretch of approximately seven miles of sand beach which is almost visible from one end to the other from the middle. Riverhead's beaches are totally different. I disagree with the statement that was made that all of the problems are happening in the late night hours. They are not. The separate problem of the ATV vehicles is almost strictly a daytime problem. That doesn't have anything to do with the four-wheel drivers. I have had beach patrols out on a regular basis. I can show the town the payroll records for the special patrols we ran at night on the beach. The activity was not that high. And I don't know of a single instance, borrowing the car had to go off on call to an emergency call, that we have not ever responded to a call on the beach. And I resent someone coming up here and hearsay evidence saying that the Police Department does not respond. I would like

to see the evidence of the call made and that we did not respond to it because I don't believe it ever happened."

Supervisor Janoski, "Thank you Larry. Would you like to apply for the job of Chief of Police?"

Chief Larry Grattan, "No thank you."

Supervisor Janoski, "Is there anyone else present wishing to be heard? I don't remember you speaking at all."

Ken Patrick, Jamesport, "I live on St. Mary's Drive down in South Jamesport across from the state boat ramp. I've noticed a big difference in things happening or not happening since the Bay Constable has come on in the Bay this summer. I have a boat, I launch it. One of the biggest problems or hassles we had there earlier in the year was jet skis. And also whenever the four-wheel drive ban on the Bay beaches was enacted. There were kids, hellions, still down there in the middle of the day on the beach with four-wheel drives, jet skis cutting people off coming in that inlet. I called the police and it took them about an hour and a half to get down there. All right, they chased them off. That was a Saturday I believe. The next day they were back there again, the kids. Once the Bay Constable comes on, I haven't seen it but they're still down there at night riding. And also, is the marina itself, the boat ramp, state owned. Is that town maintained?"

Supervisor Janoski, "Yes."

Ken Patrick, "So the town controls it. Why not impose a fine? Not a fine but a parking fee or boat launching..."

Supervisor Janoski, "Please don't make any proposals for any future fees right now."

Ken Patrick, "What I'm getting at, if you go in there on any given day in the summer, there's an awful lot of people from the West End of the Island."

Supervisor Janoski, "You're absolutely right."

Councilman Lombardi, "Ken, we did, at one time, try to impose a fee with that state park but we have a contract with the state. I think it's another year or two. Stan."

Stan Grodski, Rec. Supt., "1994."

Councilman Lombardi, "We were talking about it because of the maintenance of that property there but we could not implement it at that time. That was six or seven years ago. But we have a contract with the state to maintain it at no charge to anyone. And I don't agree with the fees."

Ken Patrick, "The other thing that I see as far as even getting back to the garbage thing. One quick comment. You go down there and you see people and I've gone and I've watched them come out of Mattituck Town in their mercedes and BMW's and the pull up enroute. Monday mornings, back to the city. They open the truck and they take out their two bags of garbage, three bags. Now is that the Recreation Department that goes and picks up all that or whichever department it is? You go down there that's not from somebody getting off the boat. Sometimes it looks like a pick up load full of garbage sitting there. And as far as the kids at night down there hanging out raising all kinds of h--- in front of the parking lot. I live right across the street. My neighbors have called Riverhead Town police a couple of times. I got tired. I went to the state police. It did have some effect because maybe they have more authority or they don't know anybody around here. But still, that's the big problem. Now in the middle of Winter in the daytime, that's a nice hangout for the cops. They sit there even at night when all the kids are in school, they sit there in the parking lot and it's nice and quiet. Where are they in the middle of summer. If there's no calls in the Jamesport/Aquebogue sector or whatever it is, where are they? Are they patrolling around? Very rarely do I see them pulling in there. After ten o'clock they're not supposed to be parking there. At one, two o'clock in the morning, you ride down Peconic Bay Boulevard in the summer and you see what's left on the roadway there. Thank you."

Supervisor Janoski, "Did you want to say anything at all about the other shore?"

Ken Patrick, "No just in reference to the \$10 parking fee applies to South Jamesport."

Supervisor Janoski, "Ok. Still here, huh? Well come on down."

Dale Young, "I didn't leave. I would like to go on record as stating that I agree that the fines should be enlarged. The fine right now for parking on the beach after ten is \$10. We have many kids who come into the Justice Court to pay these fines. And I believe that you stated there were something like 468 or 450 members that would apply for permits at \$50 a piece. If you impose larger fines, you'd probably find out those teenagers would pay more in penalties for those fines that they've been ticketed for and these gentlemen would not have to pay the additional fee. Parking on the beach after hours is a \$25 fine. Make it larger. Make it \$100. Make it \$200. Make it \$500. Make it large enough and these fines should pay for the Bay Constable or some other kind of patrol. But I am in favor of seeing the fines raised. Thank You."

Supervisor Janoski, "You've been waiting for a long time. Come on up here."

Gary Cobb, "Mr. Janoski, I understand from what you say, we've swayed your opinion and we're pleased with that. As we understood it, there were two members (as the newspaper stated anyway) that were already in favor of not raising the fees. Mr. Lombardi being one. However, you have not voted on it yet so I would like to address Mr. Pike on an issue he brought up pertaining to the fees. You said there were about 460 last year. You expected with a fee of \$50 that the number of permit applications would drop. And therefore, that was the revenue that you were going to use to pay this part time cop that Mr. Janoski is not going to hire. Don't you think that if the law was enforced, a lot of the people, because there was no enforcement, that are on the beach and have been on the beach are Riverhead Town residents. They just saw no need to buy a permit because there was no one enforcing it. If the permit fee was reasonable and they knew that it was going to be enforced, I think you would have more applications for permits. Therefore, not necessitating such a high fee. Another item is what is the possibility of utilizing the existing constable on an overtime basis occasionally. Like someone had stated earlier, make a sweep, spot checks. Just to show up and make a spot check with the constable. Not every day an eight hour shift five days a week all year long. Throw the man a night or two of overtime. I'm sure it would cost a lot less than hiring another employee. That's all I have to say."

Supervisor Janoski, "Thank you. Any other comments? Anybody else? George, do you have an opinion on this? I'm sure you do. I didn't see your hand go up. Oh, you want to have the last word."

George Schmelzer, Calverton, "I haven't got any four-wheel drive. So I'm going to have to borrow one. I can't see how you have to have a secondary license to drive on the beach which is recognized (since the country started) as a highway in itself. Isn't the beach open to the public to go on and drive on when they see fit? It's been that way when roads were unpaved. Just because it's an unpaved road, why do we need a secondary license to drive on it? How about it. We go back to the Middle Ages, every town in the community had a toll road and they put what they call a pike. I don't know if you're named after that or the pike fish. I don't know. One of the two. They put it across the road so they couldn't get through and they charged the people. Now this is very similar. When you're parking down there, that's another story. What is the fee for, your proposed fee for driving or parking? I didn't hear anything."

Supervisor Janoski, "I wish I didn't."

George Schmelzer, "What is the proposed \$50 for? For driving on the beach or parking?"

Supervisor Janoski, "Driving on the beach."

George Schmelzer, "Do you have a right to charge them for driving on the beach? It's a highway to start off with. How about it. Put some rocks along the beach and nobody can go there then it's all settled. As far as having a stiff fine, the fine is supposed to fit the crime. So somebody talks \$250 or \$500 or more, that's out of rage. I don't even believe it's legal. Raise the fine from \$10 to \$25 and see how it works and maybe you'll stop it. If the town has police to keep crime down in Main Street, well maybe they do and maybe they don't and there's a lot of crime around. Is the crime on Main Street worse than on the beach or is the beach worse? The police is supposed to patrol the whole town whenever it's needed. That's what police are for. Maybe you can get the State Troopers to help you. The State Troopers help the country towns. In the five Eastern towns the Troopers are here. Ask them for help. You're pretty good moochers anyway. You mooch off the federal government for hundreds and thousands to buy buildings. So maybe you can do so more mooching somewhere. Thank you."

Supervisor Janoski, "Thank you George."

Jim Kreutz, Reeves Park, "I'm going to make an a----- out of myself but I'm going to say what I've got to say. All this mess started from way back in the Spring when we had problems on the beach and the problem everybody said; law enforcement, law enforcement. Everybody passed the buck on everybody else. We agreed, I was one of the first to say we'd be willing to pay the permit. I still want the first two permits you give out and I'm going to pay for them. The only way you're going to have law enforcement is you've got to hire somebody and you got to pay them to do the job and do it right. These people from the East End Fishing Club and all these other people... I live on that beach. I fish seven days a week over there. I have not seen one of these people on that beach and we're talking Reeves Park. We're not talking Southampton, Wading River or any place else. We're talking Reeves Beach. That's where the problem is. Why all this other bull----? Pay the \$50, \$100, pay it. Put somebody on the beach to clean it up and that's that. Otherwise you shut the beach. That was the thing in the beginning. You either said we're going to shut the beach or we're going to come to an agreement. We offered the agreement. I started it. Now I'm here to finish it. So what I said I said. You want to close the beach, close it. No thanks to my fellow East End fishermen. I never seen not one of these guys on that beach. Not one of you. You all come here. I'm disgusted. Thank you for having my say."

Supervisor Janoski, "Without objection, this hearing is closed. Anybody else wish to speak before I close it? Without objection, this hearing is closed."

Joseph Sykora, Riverhead, "We do need a constable down on the beach at night because of the kids. I hear it on the scanner. I have a scanner at home, a police scanner and I hear the problems that go on down at the Wading River beach and we do need

a constable down there at night. We really do for the people that live in that neighborhood."

Supervisor Janoski, "Is there anybody else who wishes to address the Board? Without objection, this hearing is closed. Does anybody want to take a break? We're going to recess until 10:30."

7:55 PUBLIC HEARING PERTAINING TO AMENDMENT TO RECREATION AND BEACH ORDINANCE TO INCREASE FEES CLOSED AT 10:22

TOWN BOARD MEETING RECESSED AT 10:22
TOWN BOARD MEETING RECONVENED AT 10:34

Supervisor Janoski, "Let the record show that the hour of 10:34 p.m. has arrived. The Town Clerk will please read the notice of public hearing."

PUBLIC HEARING - 8:05 P.M.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on Tuesday, December 19, 1989 at 8:05 p.m. to hear all interested persons who wish to be heard regarding: Addition of a new Section 103-13 to the Town Code re: Residential and Nonresidential collection rates.

Supervisor Janoski, "Thank you."

Councilwoman Civiletti, "As a customer of Mattituck Sanitation, it was you who gave me the idea to start looking at other towns because why should we be paying more than we pay in Southold. And so I started looking at some other towns and noticed a very market difference between what people pay in towns where rates are not regulated versus what they pay in towns where the rates are regulated. This is a proposal for a public hearing on the question whether or not we in Riverhead should begin regulate rates as they do in some other places. And this is an opportunity and I hope that it's an opportunity that's taken seriously because I seriously want to hear the answers to these questions and I don't doubt that there are answers. But I for one, would like to know why that chart reads the way it does. Why people in the Town of Riverhead are paying carter collection fees equal to that charged in other towns like Islip and Babylon more than charged in the Town of Brookhaven for two times a week service where they are getting three times a week and they're picking up recyclables the third time. When are current part time fee is as you see, 20 versus 30 per ton in Brookhaven; \$40 per ton in Islip; \$78 per ton in Babylon. All of these towns including Riverhead allow recyclables to be deposited at the facility free of charge except for the Town of Islip where it's \$18 per ton. I don't know. Simply put, that's the question. I just want to also point out to you that that was not profession-

ally made by consultants at a high fee. I got my little magic markers and a piece of posterboard that I paid for with my own money and I drew that. As well as another chart that shows what percentage of our garbage is that is recyclable which is something you and George are very well familiar with since you are the people who have some (at least) of the containers at the dump for people like me to deposit our recyclables in. So that's the question."

Supervisor Janoski, "George, you're recognized."

George Mathis, George's Sanitation, "First, I'd like to answer your question before I address the cap on the fees. The answer to that question is...."

Supervisor Janoski, "I don't know if we've proposed a cap on fees. I think we did publish certain figures. The real question here is should the town regulate the fees charged by your industry."

George Mathis, "Regulate the fees, however you want to put it. Regulate or cap."

Supervisor Janoski, "The actual numbers that were published are not really the issue even though it is a cap and I understand that. So the public hearing really should address, should it be regulated and of course what we regulate it at, is certainly a concern to you. So you should address that. We haven't proposed a cap."

George Mathis, "Well first let me address this. As far as the different rates in the different towns, that's very easy to explain. Population density. A garbage truck in Islip or Babylon goes out with three men and does 1,400 homes in a 7 or 8 hour day. A garbage truck in Riverhead goes out with three men and does 150 homes in an 8 hour day because he has to travel a half of mile between stops. He has to go to the back door for many people who require that specialized service. And you have to take the cost of operating that truck and paying those men and divide it by 150 customers and then do it by 1,400 customers and that's why it cost more. Very simple."

Councilwoman Civiletti, "Where does this 1,400 versus 150 come from?"

George Mathis, "Reality. The reason for that is..."

Councilman Pike, "Where does this half of mile come from?"

George Mathis, "I'm just using that as... Sometimes you'll go down a street there's 30 houses. I'm talking for average. If there's 30 houses on the street, the carter might only service three or four of them and another company will service another three or four and the rest of the people will take their own to

the dumps. So there is a gap between stops. It might not be exactly a half mile but then again it might be pretty close to that but there is definitely a gap between stops. When a carter goes down a street in Babylon and Islip, everyone on that street has service by that same carter and it's all at the curb and they're limited to two cans. Here we'll take five cans sometimes and we don't service every house on every street because of the self haulers and that's why it cost more. If John DiVello could do 1,400 homes with a truck in the course of a day, he could do it for the same price, probably a lot less than they're doing it up the Island. So I believe that hopefully explains why there's such a vast difference in the cost between the towns."

John DiVello, "We also have large gaps in the summer people."

Councilwoman Civiletti, "If you want it to be in the record, you have to be up here."

George Mathis, "Shall I at this time, address the fees?"

Councilwoman Civiletti, "I just want to clarify that it's Babylon and Islip because obviously everybody gets municipal collection pursuant to they establish districts and they let out contracts. And they also require curbside."

George Mathis, "So you eliminate competition between carters because they bid for certain districts and they just have one carter servicing a whole street, the whole area. That deprives the people of being self haulers. The East End is very unique and we can't compare ourselves to the West End. We have a totally different life-style here on the East End. We pride ourselves on the fact that we are different. People want the privilege of taking their own garbage to the dumps. They don't want to be forced to have a hauler. That's democracy and that's the way it should be. Is it appropriate at this time for me to address the cap on the fees? First of all, I'd like to state that it was very interesting throughout the whole night that I was here. I was a little upset that I was the last one to speak. But maybe I got an education. The entire night was dedicated to the Town of Riverhead increasing fees for permits because it cost them more money to process the permits. Increasing fees for subdivision, increasing fees for the landfill for the tipping fee, increasing and imposing fees on recreation, increasing fees on parking and fines. Now we're talking about telling the carter he's not allowed to increase his fees. I found that a little bit unusual and I'm here to speak against the town putting a cap on the fees. The idea of the cap came from our neighboring towns to the west. In fact, I believe that the way it was written in the minutes tonight of the meeting or the proposal, (whatever you call it) the words were pretty much taken (I think) from Islip for something to start with. Yes, Islip does have a \$40 a ton tipping fee and yes Islip does put a cap on what the carters can charge. But we're back to the same population density where it cost the

carter more money here to operate here than it does there because he has to travel a lot further distance to pick up the same amount of garbage. And if there were three people on the Town Board who had been in the garbage business previously instead of one, I'm sure I'd be speaking to a better audience here that could better understand what we're talking about. People, you don't have to put a cap on the garbage fees in Riverhead Town because people still have the privilege. If the carter charges them too much money and they don't like what we're doing and we try to be fair, they can throw the carter out and take their own garbage to the dump. They don't have to have our service. So why do we have to have a cap? If the public is not happy with what we charge, they have the privilege of going there themselves. The \$40 a ton tipping fee relates to about \$6 a cubic yard on commercial I'm talking now. You say the commercial carter can only charge \$10.45 a cubic yard. So the town feels that they need more than half of that \$10.45 rate that they want to put on us to run their landfill saying that it should cost us less money to pick up that garbage and pay for our equipment and all our other insurance and everything and get it to the dumps and all you got to do is bury it and cost you more money than us and you want to put a cap on what we charge. So I feel that's unfair. I realize the town needs more money to operate and it has to come from somewhere. So I'm not arguing the point of the itself but just the cap. If the Town Board could go down to Riverhead Brake and tell him that you're going to put a cap on how much he charges us for parts to repair our trucks, if the Town Board could go to the people that we buy our health insurance from for our employees and tell them they couldn't increase our rate a 100% like they did last year, I'd be delighted to have the town to put a cap on what I can charge. Put a cap on what it cost me first please. There was gentlemen here earlier from the Chamber of Commerce who was concerned and rightfully so. Unfortunately, I don't believe he's here now but I'm a member of a couple of Chambers of Commerce over in Westhampton, Southampton, Hampton Bays and I know that every business has to survive. Can you go to the shoe store and tell the guy in the shoe store he can only charge \$50 for a pair of shows because it cost him \$40 today? What happens tomorrow if the shoe manufacturer comes to him and says; I'm going to charge you \$50 for a pair of shoes instead of \$40 now. But you tell him he can't sell them for more than \$50. Or the landlord comes over and raises the rent, it's the same situation. If you're going to put a cap on one business, you should put a cap on all of them. Put a cap on the lawyers fees. Put a cap on doctor's rates. You know. Again, I've got to say there's no need for a cap because people are not, it's not mandatory for people to have our service. If they don't like John DiVello, they'll call someone else or they'll go to the dumps themselves. We employ a lot of local people, all of us do. Are employees are always looking for increases in salary which they deserve. We try to work within a tight budget the best we can. It's been proven many times that municipalities like New York City, have tried to pick up garbage themselves and they do and they admit to the fact that private enterprises do it

a lot more efficiently and a lot cheaper. And those are facts. A lot of large cities wish they never got into the garbage business. They can't operate as we can. My company paid Southampton Town \$400,000 in tipping fees in the last 12 months. We pay our fair share. The carters are more than willing to work with the Town Board in recycling, in helping you do anything. We're willing to meet with you any time. And I think it's totally unfair for the town to impose a restriction on the rates we can charge. We're not crooks. We're honest businessmen. Please give us a break. Do not impose a cap on the rates we can charge. Thank you."

Supervisor Janoski, "Thank you George."

Victor Prusinowski, Aquebogue, "Without getting into the whole garbage question, when this was first proposed to regulate the fees so that the residents of the town are not overcharged for passing through town fees, this was a concern many years ago. But one thing I did not take into consideration Denise, which was germane to our own business and I was talking to John in the hall and I think that we can get together after the first of the year and we can talk to them and I'm sure we can work out an agreement where they're not going to overcharge the customers. Doing business on the East End, take the newspaper business. Suffolk Life is going to be 30 years old in about six months. For the first six years we were 100% in the mail but then we switched to hand delivery except on most parts of the East End. Then we went back to the mail because the farther west we went and we went back to mail for other reasons, but in Western Suffolk when we were hand delivered, the farther west we go we actually made more money because it was more efficient to hand deliver to the homes because of exactly what they said. The homes are closer together. Lindenhurst, for example; they don't even have quarter acres. If they have third of an acre in some parts of Lindenhurst, it's more efficient. It's easier to go down the roads. It's a little bit more organized. If you look at one of my competitors now which Warren works with, This Week, 100% hand delivered in all of Suffolk County except the East End. They do it in the mail. And the reason they do that is because it's more efficient to mail the publication than it is to hand deliver it. So I think that that should be taken into consideration. They have a legitimate concern here. And all I'm saying is after the first of the year we should work with the guys to take a look at their true cost that they're not going to pass it through. Now of course one of the other problems is that I've heard there's no competition in this business and that would be something we'd like to talk to them about because you really can't switch carters from what I understand. Where in my business, fortunately, you have the privilege of advertising somewhere else. That is a consideration. In Babylon they went to regulations but they also have garbage districts too which is probably going to have to happen in Riverhead. Thank you."

Councilwoman Civiletti, "George would you mind, I have a couple of questions. Would mind trying to answer them. Would it be helpful to you if the town ordinance required that trash be put out by the curb. Some of the things that you talked about are a matter of collection practices. Certainly, back door service is not something that has to be available. It's a convenience that people like but it's not absolutely a necessity. But by the same token of reality is that you say they can always bring it to the dump themselves. That's certainly not true for a lot of people. So what I'm thinking; is there a way that we can address some of the problems that aren't geographical in nature? Such as requiring curbside and such as limiting the number of cans."

Councilman Lombardi, "George, can I just answer Denise? I did the garbage business for 29 years. And you know there's people out there (senior citizens) who we went to the back door and a lot of them we did not even increase. And I'm not in the garbage business but I've been in the business. So I see what has been going on. And when the towns like our town wants to increase the garbage carters or put a limit on their prices, I think it's unfair. When the Town of Riverhead wants to charge \$40 a ton, I think we're going overboard. I really believe we're going overboard when we're telling these carters that we can only charge \$18 or they can only charge \$18 or \$20 dollars and we're telling them we're going to charge them \$40. But when you say about making it easier. When you have senior citizens, you try to help them. You go to the back door. And many times I went to thousands of them to give them the service. These carters got to know these people. It's not a business with a lot of these carters. Their friends. They've met these people. They've been dealing with them for 20 something years or what and now we're going to try to arrange things. If you remember last year, I had a meeting with the carters and Lou and we try to get a deal set up. We had the carters for \$10 a ton plus they were willing to go out and pick up plastic and bottles and everything and the Town Board turned that down. I thought that was a good deal we had and I'm bringing all this stuff in. Thank you."

George Mathis, "As far as the question regarding curbside service, yes it is a lot easier and less expensive for the carter to do curbside service. We really don't like to do back door service as we call it. We'd prefer to have everyone leave their trash out at the curb and it would be a lot easier and quicker for us and we could do more houses in less time and we could charge a little less. I know in Southampton the carter charges one price for curbside service and a higher price for back door service. Do you do that in Riverhead John? I was quite sure you did but I didn't want to speak for you. In Southampton a lot of the incorporated villages like Quogue and Southampton have an ordinance where people can not leave stuff out at the curb and it's become a confrontation with the town. The town wants the recyclables out at the curb and the village said no you can't. So it's kind of a toss up situation. Then you've got the people

who don't want to put it out and they're willing to pay the extra money. So does that answer your question or not really?"

Councilwoman Civiletti, "I was just wondering if there was a way that we could address some of the things you cite as problems in the nature of business on the East End. Certainly there are senior citizens in other towns where curbside service is required. What we've got here is a problem that we have to try to figure out how to solve. And you can't just say that no; we can't this and we can't that and no we can't change anything. We can't do that."

George Mathis, "There's a good possibility that the carters would not raise their fees above what you project here. But it's just, I think, unfair for the town to say...."

Councilwoman Civiletti, "That was certainly not the indication that the carters or at least one carter gave their customers."

George Mathis, "I said there's a possibility. I don't know. That's something you have to sit down and talk about. But another thing we didn't address was what about all the guys with pickup trucks that run around Riverhead? And like you said, Mrs. Jones really can't take her garbage. She doesn't have a carter pick it up. But the guy three doors down has a pickup truck and he takes it for Mrs. Jones and Mrs. Smith and his sister across the street and his mother down the road and he takes four people's garbage to the dump. Are we going to put a cap on what fee he can charge? We don't even know if he's charging a fee or he wouldn't admit to it if he was because he's not really in business. So if we're going to have a cap on what we can charge, how are you going to regulate that guy in the pickup truck? John knows there's a lot of them out there. And they don't go on the scale and they don't pay \$40 a ton either. You know. And he buys a sticker for whatever you charge for the year for which that sticker entitles one resident to bring their trash to the dump but he's bringing four or five. Or the guy who has a little motel or something and he wants to save the money of having a carter. God bless him. If wants to save the money and do it himself, fine but shouldn't he pay the same? The storekeeper who says well... A store has more garbage than a house does but he can get a sticker for \$50 and if he's got a luncheonette, he can bring his own trash to the dump. Only instead of having two cans once a week, he's going to have twenty cans once a week because he does have a business. And he'll go in with three cans a day, five days a week. So there's really a lot more to it."

Councilwoman Civiletti, "Paying for what you actually put in is something that I think we need to get into. And what you're pointing out, as far as I'm concerned, defects in our system that allow people to come in with a lot more. Are you suggesting that... I would be very surprised if you said yes to this. You're not suggesting that the establishment of municipal collection for all residents in the town?"

George Mathis, "No I'm not because you're depriving the people who want to take their own trash to the dump. You're depriving the self hauler of doing that and you're putting the small carters out of business. Because what will happen then if you do that, a big conglomerate will come in and they'll bid low to take the business away from all the small haulers if you put it out on bid on districts. It will put the little guy out of business. You won't have any more little guys. Three or four years down the road it will come up for a rebid. Now there's only one big guy and no little guy and he's going to say well, I bid low the first time but now you're going to pay. So I don't think that's the answer and I think John will agree to that. We've talked about that before."

Councilwoman Civiletti, "Do you actually do business in the town other than the recycling?"

George Mathis, "Very little. I do very little in the Town of Riverhead. Ninety percent of my business is in Southampton. I do a lot of construction roll-off type business over here. I'm here to speak on behalf of my fellow carters. I don't do that much business in this town, no. But I feel strongly that if you do this, Southampton is going to look and say; Riverhead did that, maybe we should. That's why I'm here. It's like a cancer. It's going to spread. And again I've got to say, we've always prided ourselves in the five East End towns being unique and totally different from our neighbors to the west. I don't think we have to copy what they do. We have a very different situation here. We can not be compared to that truck. The truck does not do 1,400 houses a day. It does 140. There's the difference. That's why the rates are different. And if you're going to...."

Councilwoman Civiletti, "Can you give me the name of the company that you're citing or is in any company in any of those towns with 1,400 versus 140?"

George Mathis, "Tommy Runga of Detail Carting. He has many districts up in the West End. Right Tom."

Tom Runga, "I have 15,000 homes in the district in the Town of Islip."

Supervisor Janoski, "Hang on guys. Quite honestly I think that this exchange would probably be better held in a meeting with the carters and the Town Board."

George Mathis, "I'd be happy to meet with you any time."

Supervisor Janoski, "What I'd like to do is to continue with the public hearing and get this formal legal proceeding completed. I'm sure there's going to be some discussion with you people in the industry. So why don't we get on with the public hearing."

Councilwoman Civiletti, "Can I just say that getting information about the subject matter of this hearing is what the hearing is supposed to be all about."

Supervisor Janoski, "No it's not."

Councilwoman Civiletti, "Then what is a public hearing for?"

Supervisor Janoski, "The information. Joe. But to go back and forth in a public hearing like this when we can have a meeting and discuss these questions...."

Joseph Sykora, "President of the Mobile Home Owners Association of Eastern Suffolk. The way I'm understanding this from the haulers; that if the houses are closer together, the garbage should be picked up cheaper. We have 19 mobile home parks in Riverhead. Those homes are only about (I'll say) 3 feet apart. So in other words, the garbage that is being picked up in a mobile home park should be cheaper. Come on man. I know a little differently. That's right. Ten dollars a trailer."

Supervisor Janoski, "Joe, we are having a public hearing here. The subject is should the Town of Riverhead regulate the garbage industry's fees charged and I wish you would address that and I wish the people in the audience would stop arguing with the speaker."

Joseph Sykora, "I'm sorry Joe. I'm not paying any attention to them any how. It's going in one ear and out the other. Every time the garbage rates go up in the Town of Riverhead, our rent goes up. Whether it's five or ten dollars, it always goes up. And like I said before, there's one park already because the taxes went up, they raised it \$50 a month just for the taxes. Now if the garbage goes up, maybe another five dollars. That would be \$55 a month. Now you've got a lot of senior citizens that are living on social security and that's something that should be remembered. Thank you."

Supervisor Janoski, "Thank you Joe. Reverend."

Donna Scopper, "I wanted to speak in gratitude to the man who just educated me about what some of the issues are involved in carting garbage. I just want to remind us all of our common concern or what I perceive to be our common concern which is the real conflict that exists between long term issues and short term issues and between private concerns and public concerns here. I think those of us who have been very much in favor of a recycling approach to garbage...."

Supervisor Janoski, "Would you talk to us. John, Jr., if you really want to have a conversation, I wish that you would go out to the hall. The purpose of the hearing is for you to talk with us and I guarantee you that they can hear you."

Donna Scopper, I want to bring a principal to bear on the discussion. And that is the \$40 a ton or whatever the amount for tonnage is as important as it is to the people who are speaking right now, is only one of the considerations here. And the larger consideration I think is for the environment, the land and how we fill it. And that we really have to keep that in our minds because that can't be spoken about. Nobody can come here and say; raise the fee on behalf of the land's vitality into the future because it doesn't talk. And I think that those who cart the garbage would want that consideration to be a part of the decision. And I for one and I think I represent a lot of us, not as articulate as the man just was about how his tipping fee should not be capped. I kind of agree with that. I would like to see the Town Board pursue the economics features of recycling in as vigorous as possible way. So that eventually we can turn this garbage into a resource. Keep our taxes and our fees as low as possible but begin to understand we have a long term problem that has some possibilities as well as some problems and not get too hung up on the short term issue that's before us. So I would really beg your continuing consideration of that issue. Thank you."

Supervisor Janoski, "Oh well. Could I be very honest about this hearing and say that the numbers....."

Councilwoman Civiletti, "Say that again."

Supervisor Janoski, "You plugged in numbers that represent the cap. George you've already spoken. The fellow with the green shirt."

Steve Tufry, "I represent George's Residential Sanitation. I do the homes that are in Southampton. As far as the way the cost of this, since I probably won't be privileged in having meetings since I don't have work in Riverhead, is in our particular area in Southampton which unlike Riverhead, is similar. We have a lot of seasonal people. Half my trucks now are sitting in my yard now for six months and I'm making payments for, that don't go out. Now I have to get seasonal help to come in which you have to pay a premium for because I have to find the guy and I might go through ten guys before I find one and the season is over. So I have to pay him a substantial amount of money. I can't get someone to go for \$5 an hour and expect that he's going to show up every day. So when you're comparing the cost in an area like you said, Islip or Babylon where the customers are year around, that they're there every week. Where I service an area, Dune Road, that in Wintertime there's thirty people. There's a ten mile stretch and there's thirty people that are on the road. How could that be the same cost if there's 700 people there in the summertime? Could it cost me the same to pick it up? Should the people pay the same? There is a cost difference because the East End and Riverhead might not be as seasonal as Southampton because there are obviously summer residents which change the makeup of the area and I think that should be consid-

ered. And when you're going to make up a cap where an area like Dune Road where in the wintertime there's thirty people. If you have an area that's similar to that, how could they be charged the same on a ten mile stretch that that's all you're servicing. Also, these people that you're saying have back door services, that's an extra feature or luxury that the people are asking for. That if you don't provide it as a carter, the people do have the option to take it themselves and they will. I pick up homes that have 300 and 400 foot flag lots that if they have to bring it to the street, they can put it in their car. If they're going to put it there, they might as well keep going. There's no advantage to put it to the street. I have customers that want to get picked up six times a week. Some people want to be just on call. So as far as district type work also, these people have a preference. They're changing the system the way that they want and they're paying a fee for that. Some people want six month service. Some person just wants to get picked for a month. They're just out for a month in the wintertime. If you went to a district type system, they'd have to pay for the whole year if they were there or not. So this way the people like you're saying, the other departments that you're making up, parks pays for itself. Recreation pays for itself. The Planning Board pays for itself. The people are paying for what they get. They're not overpaying because they're only paying for what service they have. If they're not receiving the service, they're not paying for it. Thank you."

Supervisor Janoski, "Thank you. Is there anyone else wishing to address the Board?"

George Mathis, "One thing will just take a minute. In reference to the trailer parks. All of the carters already charge the trailer parks less money per month per trailer than they do a house just for that very reason because they're close together."

Supervisor Janoski, "We're all getting tired."

George Mathis, "All of the carters and I just ask everyone here, already charge the people in the trailer parks less money per trailer per month than they do a normal household because the trailers are grouped close together and they can do them a lot quicker. Just like the comparison of up the Island. And every carter in this room does charge less and John charged less when he was in the business. Mattituck does. Steve you do. Riverhead Rubbish you do. So I'd just like to answer that gentleman's question and clarify that to the Board that yes we do charge them less."

Supervisor Janoski, "Thank you George. John Sr., that statement that you ready earlier this evening, you are going to submit it as part of the testimony of this public hearing. Let the record indicate that. Is there anyone else present wishing to address the Board on this question of regulation? Are you in a better mood now."

John DiVello, Jr., "I'd just like to say that you did say you wanted to work together in the future. Right Joe? And if that cap, you do pass it or whatever, there isn't going to be any future for us. So I'm looking forward to working together in the future. All these garbage men are."

Councilwoman Civiletti, "John, I'd like to get this on the record too. You have taken a very strong interest in the future of solid waste practices in Riverhead. What would it take for you, how cost effective is it or isn't it to do something different with approximately half of our waste stream that doesn't have to get buried right now. That you can bring in at this moment in time, free of any tipping fee. I understand there is change in equipment."

John DiVello, "The thing is you have to have a market for it. If you don't have the market, the stuff is going to sit there."

Councilwoman Civiletti, "At the moment we're talking about collecting it and bringing it into the landfill."

John DiVello, "I don't understand."

Councilwoman Civiletti, "Well I understand if you're going to collect paper, glass and tin and aluminum, you need different equipment. What I'm asking for you to speak to is the cost effectiveness of purchasing that different equipment, rearranging your collection practices."

John DiVello, Jr., "That's something I would have to sit down and figure out because I just can't give you an answer like that."

Councilwoman Civiletti, "Because according to people who sit down and pick through our garbage and tell us what it consists of, which we pay good money for, they tell us there's something like 50% of our garbage that's composed of those things that we've identified as recyclables."

John DiVello, Jr., "They may be right. I don't know."

Councilwoman Civiletti, "My question is; since we're going to need to divert those things from whatever facility we use after the landfill and from the landfill right now, what does it do to you economically? Because what I'm getting at here is that it may be...."

John DiVello, Jr., "It's going to hurt. Economically it's going to hurt but we have to go with the flow over here. It's just something we're going to have to do and I can't give you a straight answer at this point."

Councilwoman Civiletti, "If the economics on the town's side make it feasible to continue with no tipping fee or a tipping fee for those recyclables that is significantly less than the \$40 or whatever for the mixed solid waste. It may work that you average out to a fee that it's cost effective to do that."

John DiVello, Jr., "Depending on the markets. So I really can't give you an answer to that question right now."

Councilwoman Civiletti, "We're not talking about...."

John DiVello, Jr., "What is she saying Joe? You've got to clarify this for me."

Supervisor Janoski, "What she's saying is if what percent of the garbage coming into the landfill, that you are not charged for the weight because it is recyclable. What does that do to your cost?"

John DiVello, Jr., "That's what I'm saying. I don't know at this time."

Councilwoman Civiletti, "If you kept it separate and brought it in separate for free or for a lot less."

John DiVello, Jr., "I know what you're saying but I can't answer that unless I sit down and actually work it out."

Councilwoman Civiletti, "Because you know very well that in April and May when we set up and put in to place in the code a change that allows you to bring those things in or anybody for that matter, for nothing. The intention was to provide some inspiration not only for carters but for residents too, to utilize that service and bring recyclables into the landfill."

John DiVello, Jr., "I know what you're saying. Then again I'll say what I said before. I can't answer that unless I sit down and you have to see what the markets are and what investments you have. You have to sit down and figure this all out. It's going to cost us a lot of money to do it but we have to do it. That's all I can say. It's the thing of the future. You're going to compost a little. You're going to incinerate a little and you're going to recycle. It's just going to happen. Thank you. I can't answer that question."

John DiVello, Sr., "I just mentioned this to Vic so it will sound a little repetitious to him. Right now we work six days a week. And a good recycling program would probably take three days a week and you can't get nine out of six. I'm suggesting that one possibility, if the aim for recycling is to reduce garbage and if we want to use a round number of 50%, then possibly instead of twice a week and every where we go Monday and Thursday, we would pick garbage on Monday and recyclables on Thursday. And the same thing for Tuesday and Friday's route and the same thing for Wednesday and Saturday's route."

Councilwoman Civiletti, "Is there anything preventing you from doing that right now?"

John DiVello, Sr., "I don't think so."

Councilwoman Civiletti, "Because then the day that you bring in the recyclables, you don't go on the scale. You just come in."

John DiVello, Sr., "It will take a little different equipment."

Councilwoman Civiletti, "That's what I was asking your son."

John DiVello, Sr., "I think we can probably absorb that and work at the prices that we are now. We're handling the same amounts of material but now we're separating it. Our costs are not going higher. They're actually coming down but that would absorb the extra equipment. It would probably take the same amount of men because we're still going to be working the six days and we're still going to have three men on a vehicle. So that was some of my thoughts and I've also suggested the same thing to Southold. If it's commingled, it would be easier to pick up."

Councilwoman Civiletti, "Then it's got to be sorted."

John DiVello, Sr., "In Southold where residents, I'm closer to the situation and I've volunteered... If the other carter.... We're the only two carters of any means in Southold. I think he's willing to go along with it also to where we would take the recyclables separated. When we're picking up garbage, we would probably pick up newspaper at the same time and put it on racks because it's easier to handle. And when we're picking up recyclables, if it's broken down to whether they use different colored barrels, different colored bags or even milk cases if they were purchased because they can be a heck of a lot cheaper than colored coded barrels. We would go down with the type of equipment to keep it all separated. When we go to the dump, we'd have containers there. There might be a 30 yard container for glass. However, when we're picking up the recyclables it would probably be a six compartment container. And we'd back up to the thirty yarder for glass and back up to that there and just open the compartment for glass, move over and dump the other one for plastics and the next one for whatever, aluminum or whatever. But it's a plan, suggestion and I think it would work."

Bill Kutchper, North Shore Disposal, "You've got one problem that I don't think the town has really looked at. It's a major major problem here we're facing. I guess twelve months time from what you're telling me, is closing for this landfill and all the landfills on this end of the Island. I do a lot of work in Brookhaven along with Riverhead and I'm involved in the

recycling in Brookhaven. And all we're doing right now by recycling with all these towns and what have you is flooding the market with all recyclables that we can't get rid of or at a cost that cost us too much to get rid of. Or the town, once we've gone through all of these shuffles to do whatever we have to do to separate them. Now we've got independent piles of glass, cans, newspapers where the expense to sell it cost more than what it's worth laying on the ground. It just doesn't make any sense to truck it to where it's got to go. Either we get next to nothing for it. The markets are just so flooded with recyclables in the last year, there's no market whatsoever. And you're looking in the short period of time all of this to come upon us and do it in a years time. You can't do it. It just can't conceivably happen."

Supervisor Janoski, "Well, could I... We kind of know this and it's after o'clock. The subject here...."

Bill Kutchper, "I've got to get up at 4 o'clock in the morning. I'm not complaining."

Supervisor Janoski, "Good. And you'll be finished by whenever. The subject of this hearing is not that the market is being flooded with recyclables."

Bill Kutchper, "No. I'm just giving you inside to your problem."

Supervisor Janoski, "I hate to say this to you but we know that."

Bill Kutchper, "But this is something that we, the carter, you the town and the taxpayer who has to pay the bill, we've got to get together and figure out what you've got to do. Why go through an exercise and not accomplish anything."

Supervisor Janoski, "I really appreciate this inside that you have. What I'm trying to say to you is that we're in the middle of a public hearing. The subject of the hearing is shall the town regulate the prices charged by the carting industry. I thank you for your incite to the problems of recycling. We are pretty much aware of it and we know that the market is flooded. And as we go on line with recycling, there is going to be more of a glut. But do you have any opinion on the subject of the hearing?"

Bill Kutchper, "The question.... Part of the answer to the question was proposed to John as far as the equipment on recycling and would we be opposed to and what have you. There's ways that it could be worked out. There's different pick up days. There's no reason to pick up recyclables once a week. We could pick up newspapers one pick up a week. The next week cans. It could be odd days and stuff like that. It's all stuff that has to be worked out. We're willing to do that."

Supervisor Janoski, "I appreciate that."

Bill Kutchper, "That's no problem."

Supervisor Janoski, "Do you have an opinion whether the town should regulate the carting industry and the prices charged?"

Bill Kutchper, "Yes and no."

Supervisor Janoski, "Mr. Stark, are you headed for the microphone."

Jim Stark, Pondview Drive, "I do not feel we should regulate prices."

Supervisor Janoski, "Now, that's the statement I like to hear. Is there anybody else who has a nice direct short.... Yes, Warren."

Warren McKnight, Wading River, "Many of the carters here know me since 1970. I stood in their garages all hours of the day and night selling them two-way radios. Tom, George, a few others back there. I've seen these guys' overhead they have to do, the maintenance and everything. In order for us to regulate them or the town to regulate them, I'm against regulation for the simple reason; it cost a lot for them to run their businesses. And for people who don't have the time to see it and go through it, I'm against the regulation of the industry for that reason. I see how these people work. What they have to go through to earn a living at all different hours."

Supervisor Janoski, "Do I see your hand going up again George."

George Mathis, "I'll be the last one to speak hopefully. Just one thing I'd like to bring up as far as regulating the fees. What are we talking about regulating the fees now for? The landfill is going to close in 1990. Whatever you impose if you go with the \$18 a house and \$10.45 a cubic yard, it's only good from now until December. The whole thing is out the window. The landfill is going to close and maybe we're paying \$80 a ton and everything has got to be renegotiated. So why bother?"

Supervisor Janoski, "Do you agree with that? Is there anyone else wishing to address the members of the Board. That being the case and without objection, I declare the hearing to be (gratefully) closed."

Councilwoman Civiletti, "This isn't over yet."

Supervisor Janoski, "Is anybody willing to move all the resolutions? There is a move and second on the packet of resolutions."

Resolutions #793 brought off table and moved for action.
Found on Page 1466 of the 1989 resolution book.

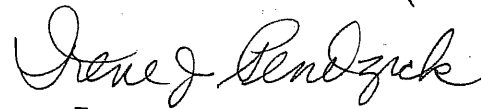
Resolutions #826-851 found on pages 1467-1510 of the
1989 Resolution Book.

Alice Graff, "I just want to wish everybody a Merry Christmas. And I'm sorry to see Rob Pike and Lou leaving the chairs. I'm very very sorry. I'm very sorry."

Supervisor Janoski, "For those of you who were strong enough to stay here until the very end, I wish you a Very Merry Christmas and a Happy New Year."

There being no further business on motion or vote, the meeting adjourned at 11:25 p.m.

IJP:nm


Irene J. Pendzick
Town Clerk